TELOS

NUMBER 128 SUMMER 2004

Articles:

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Alain de Benoist

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Liberalism, Tradition and Faith
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Reinventing a Ruling Class
Andrew Fraser

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Introduction

Paul Piccone, founder and long-time editor of *Telos*, died on July 12 after a four-year struggle with cancer. A man of extraordinary vitality, intellectual energy, and personal charisma, Piccone made a unique contribution to American culture and, especially, the transformation of the left through an unencumbered exploration of the world of ideas. In particular, through his journal, Piccone significantly influenced the reception of European philosophy and social theory in the United States.

Born in L'Aquila in Abruzzo on January 17, 1940, Piccone left Italy at the age of fourteen to settle with his family in Rochester, in upstate New York. After time working in various factories, he turned to academic life and pursued studies at the Institute of Technology in Rochester, the University of Indiana at Bloomington, and the State University of New York in Buffalo, where he received his doctorate in 1970. It was also in Buffalo in 1968 — the year of both the student movement and the Soviet crushing of the Prague spring — that Piccone founded *Telos*. The name of the journal referred to Husserlian phenomenology, indicating a perpetually redefined goal of human activity, in a dynamic relationship with lived reality and therefore precisely the opposite of any rigidly linear or mechanically teleological philosophy of history. The initial goal of the journal was therefore precisely the elaboration of phenomenological Marxism. This in turn led to a gradual recognition of how little of orthodox Marxism could withstand critical scrutiny.

Piccone's effervescent personality as well as the force of his intellectuality attracted other young intellectuals from the New Left arena who were increasingly dissatisfied with the blind activism and anti-intellectual dogmatism that grew widespread as the student movement spiraled downwards into terrorism. *Telos* became the vehicle for a critique of the reification of the New Left, and "Telos groups," satellite editorial boards, began to spring up at various universities. While this institutional proliferation peaked and soon dissipated, the force of the ideas remained, as Piccone guided the journal through several incarnations.

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The initial critique of New Left dogmatism was coupled with the reception of European Western Marxism, particularly the Critical Theory of the Frankfurt School. During the 1970s, *Telos* was the primary American venue for translations of Theodor W. Adorno, but it was here as well that the prehistory of Western Marxism was rediscovered: from neo-Kantianism through the neo-Hegelianism of the young Georg Lukács to Max Horkheimer and Herbert Marcuse. This neo-Marxist strain, however, was always tempered by a constant recurrence to phenomenology: hence Piccone's repeated insistence on the primacy of lived relations, genuine communities, the *Lebenswelt*, in explicit contrast to the oppressive slogans of Communism: party discipline, "democratic" centralism, and the like. This clear distancing from the Left (New and Old) gave *Telos* the reputation of being a renegade and, from the journal's start and across decades, dogmatic critics have attacked it as somehow allied with evil forces of conservatism. Just as the European New Left attacked the Frankfurt School for its skeptical view of activism, the American New Left denounced *Telos* for its intellectuality and a willingness to call received opinion into question.

Meanwhile, Piccone also insisted on the continued mediation of European thought into the United States, and this included extensive translations of East European dissidents and critical discussions of Soviet Marxism. One has to remember how little attention the West, and especially the Western Left and liberal public opinion, gave to the Soviet world in the 1970s and 1980s, indeed how much apology was common. In an era in which détente often implied a willingness to accept the division of Europe as unchangeable fact, *Telos* stood out as a journal that consistently critiqued the Soviet model (and for that reason it was also critical of the "peace movement" of the 1980s, effectively a wing of Soviet foreign policy). Yet, in the spirit of the Frankfurt School, the analytic model of the "totally administered society," a critical description of Communism, was turned around and applied increasingly to the West: the growth of the bureaucratic state, the ascendancy of the "new class" of intellectuals and bureaucrats, and the spread of a liberal ideology with an oppressive character, i.e., what came to be known as political correctness or *pensée unique*. Piccone argued that the frequently obligatory celebration of putative outsiders — ethnic minorities, women, or gays — had less to do with liberation and more with a frantic effort by the bureaucracy to reinvent oppositional identity in order to justify its own existence; hence Piccone's theorem of "artificial negativity," which at its core revealed the deeply anti-bureaucratic, nearly anti-statist character of his thought. This

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suspicion of the liberal (or "social democratic") welfare state and its attendant ideologies eventually induced a split in the journal, when editors more closely affiliated with the second-generation Frankfurt School thinker, Jürgen Habermas, departed.

In contrast to Habermasian universalism, a central category of Piccone's thinking was particularity: the irreducible, preconceptual experience, which stands opposed to the bureaucratic logic of enlightenment and certainly inimical to any abstract generalizations. In the 1990s, this insistence on particularity as radical difference led in various and distinct intellectual directions: toward an interest in federalist structures and regionalist movements hostile to central regimes of power (e.g., the Lega Nord); a dialogue with the British movement of "Radical Orthodoxy," which represents an effort to recover a radical content in orthodox (rather than liberal or modern) religion; and an exploration of the specificity of the political through readings of the work of the German legal scholar Carl Schmitt. Indeed in the 1990s, *Telos* became as much identified with Schmitt in the United States as it had been with Adorno earlier. At first glance, the distance between Adorno, the neo-Marxist exile from Nazi Germany, and Schmitt, for a while, at least, the legal thinker of the Third Reich, appears insurmountable. In *Telos* the two hardly became identical, but a common denominator did appear: the suspicion of totality in Adorno and the prominence of the state of exception for Schmitt.

Piccone helped make aspects of Italian thought known in the United States. He was author of the most important English language treatment of Antonio Gramsci, *Italian Marxism.* The Telos Press, affiliated with the journal, published translations of Antonio Labriola's, *Socialism and Philosophy* and Luciano Pellicani's, *The Genesis of Capitalism and the Origins of Modernity.* Indeed, beyond Italian intellectual history, Piccone's legacy includes the recovery of a century of dissident thought within the left, from the German anarchist Gustav Landauer's *For Socialism* to the French sociologist Jean Baudrillard's semiotic dismantling of Marxist assumptions in *The Mirror of Production* and his *Political Economy of Sign.* The latest addition to the list, a translation of Carl Schmitt's 1950 *The* Nomos *of the Earth in the* Jus publicum europaeum grapples with the reorganization of international political power in the wake of WWII, but it is equally pertinent to our current debates on unilateralism, multilateralism, and war in the era of globalization.

Piccone devoted his life to *Telos* and a rich network of ideas. His legacy is an uncompromising appeal to lived creativity as much as to the

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generative force of tradition. *Telos* marks the point where aspiration and memory intersect. Beyond ideas, Piccone also succeeded in building an international community of intellectuals of diverse opinions and some shared sensibilities. His death is an enormous loss, but plans are in place for *Telos* to continue in his spirit.

The selection of articles in this issue was largely determined by Piccone and provides a snapshot of his interests. Alain de Benoist explores the problem of identity, which continues to absorb public opinion, from the academic world's focus on multiculturalism to public debate on issues of citizenship and immigration. Benoist shows cogently how identity necessarily is more than individual identity, and that networks of filitation, obligation, and opposition nuance identity, even if no feature of these networks is necessarily fully exhaustive and conclusive. Pierre-André Taguieff's exploration of community stands in a productive discussion with Benoist: both express the particularly French concern with the phenomenon of social loyalties within but separate from national citizenship. Taguieff provides a useful distinction between community — the sort of horizontal allegiances, in which all individual identity is embedded, indeed without which a genuine individuality would be impossible — and ideologized versions of community that demand politicized allegiance. At stake here is the problelm of the French *banlieue*, the mobilized and disciplined identity structure of some immigrant communities that scandalized France with the prospect of an angry multiculturalism. If, as Benoist demonstrates, identity is necessarily more than individual, how quickly does one proceed down a slippery slope to a repressive community?

James Kalb approaches similar issues: a critique of liberalism and its insistence that the isolated individual is the measure of social life. Kalb explores the deleterious consequences of this atomism and, in a manner consonant with Benoist, introduces the category of tradition as a corrective to atomism. He goes beyond Benoist and Taguieff, however, by introducing a sacred element, the role of faith, and in particular the structure of Roman Catholicism: to his mind, the successful mediation between local particularity and universalist horizons. The corollary formation to the universal church is, historically, the empire. David Sherman offers a penetrating review of the account provided by Michael Hardt and Antonio Negri, highlighting the workerist variant of Marxism, the implicit teleological determinism in the sense of the old laws of capitalist development, as well as the standing of *Empire* in relation to alternative modalities of post-structuralist thought and the moblization of post-national identity formations.

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Two shorter pieces round off this issue with comments on political forms and prospects. Andrew Fraser explores questions of a "ruling class" in the context of the managerial revolution by rethinking structures of corporate governance: more, not less corporatization as a strategy for a revitalized political community. Finally, Jean-Claude Paye investigates the relations between anti-terror legislation and the constitutional state. To date, public discussion has preferred to shy away from the question as to whether existing constitutional structures can be adequate for post-national, non-state terrorist threats. Yet if globalization (surely) calls into question aspects of national sovereignty and existing poltical form, so do violent security threats. On this point too — as with the discussion of identity — the inherited categories of liberalism may prove to be insufficient.

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On Identity[1]

Alain de Benoist

It is always difficult to talk about identity because it is *intrinsically* a problematic concept. Rather than an answer or a statement, it is primarily a question. The problems of identity only become conceivable with the question: "Who am I?" which has not always been an obvious one. Therefore, it is not an overstatement to say along with Zygmunt Bauman that the problem of identity appears to be first of all a questioning, i.e., the wording of a problem. "Identity never 'became' a problem, it has always been a *problem*, it started as a *problem.*"[2] Any serious reflection on identity involves an investigation into the conditions of appearance of this questioning, into the process that allowed the question about identity to be asked.

Somewhere in between psychology, sociology and social anthropology, the problem of identity is actually representative of the modern age. In traditional societies this question does not and cannot exist. Individual identity in particular was not a conceptualized thought, since individuals mostly thought about themselves as members of a group and this was not considered to be a sufficient factor for self-determination. "The word 'identity' itself is anachronistic in pre-modern cultures, which does not mean that the need for moral and spiritual direction was not absolute, but the problem was not related to the individual as it is for us."[3]

In pre-modern societies, identity was mainly related to filiations, both

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1. Originally appeared in *éléments* 113 (Summer 2004). Translated by Kathy Ackerman and Julia Kostova.

2. Zygmunt Bauman, *La vie en miettes. Expérience postmoderne et moralité* (Rodez: Le Rouergue/Chambon, 2003), p. 34.

3. Charles Taylor, *Les sources du moi. La formation de l'identité moderne* (Paris: Seuil, 1998), p. 65.

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in the private and in the public space. Identity depended on the place attributed to each individual by his birth, his lineage or his group. In Greece, for instance, each individual had a double identity: a personal one, expressed by a name and a surname, and a second one, related to the community, which appeared with the creation of the city. These two types of identity are not equal. "In antiquity, the former, designed to characterize an individual, was subordinate to and overshadowed by community identity; very few traces of it remain. Individual identity became personal much later in time."[4] Individuality is not denied, but it is grounded in the community. Subjective identity originates from a sense of being, expressed in the language of the myth of origin. For the Greeks, going to the theatre was like attending a *re-presentation* of their uniqueness. Complying with the nature of things becomes a measure of self-fulfillment. Other peoples' identity is represented by their customs, as described by travelers. Each people know that different people exist.

This is still true in the Middle Ages. In a society of orders and states with immovable limits, the question of identity can hardly be posed. Believed to be objective facts, they constitute most of the social structure. Legal recognition, i.e., the confirmation that one is a member of society, and as such enjoys certain liberties and guarantees, starts with those limits. In medieval societies the prevalent virtue is loyalty. Therefore, the question is not "who am I?" but "to whom am I loyal," i.e. "to whom do I pledge allegiance?" Identity is the direct result of that allegiance. Society is then divided in groups, which interlock but at the same time remain separate. This separation limits hostility between castes and states, until the Nation-state attempts to homogenize all this diversity.[5]

It is easy to understand why the question of identity appears, first, as a reaction to the dissolution of the social network and the disappearance of traditional points of reference brought about by modernity, and, second, in connection with the emergence of the notion of individual in the Western world. In the 18th century, as well as today, referring to someone as a person means

4. Christel Müller and Francis Prost, eds., *Identités et cultures dans le monde méditerranéen antique* (Paris: Publications de la Sorbonne, 2002). This concept is still common nowadays in most traditional societies. In New Caledonia, for instance, the names of individuals are also clan titles related to land ownership.

5. Zygmunt Bauman illustrated well in his *Modernité et holocauste* (Paris: La Fabrique, 2002), pp. 72-77, that the Jews were the first victims of that tendency to homogenization, as modernity could no longer accept particularities, which, paradoxically, medieval society, as an aggregate of distinctive groups, contended with. In other terms, modernity abolished a group of distances, which were considered dismissible, but which were also indirectly protective. In the Middle Ages, otherness did not prohibit integration.

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that he has individual freedom and can rightly be regarded as independent from the groups, to which he belongs. There is then a connection between the question of personal identity and the development of individualism. The latter has two different meanings: the value attributed to the individual within the group, and the intensity of the relationship of the person to himself.[6] By the same token, the notion of identity is particular to the Western world.

That is why Tocqueville attributed to Christianity the idea of a substantial identity of human beings. It meant that all men are basically identical and their differences randomly derive from birth or history. The recognition of the unity of mankind comes from omitting those differences that are not essential in the eyes of God. Nevertheless, with the rise of Christianity, influenced by Greek philosophy, the idea of "self-concern emerges," as Michel Foucault argues. A person was not only a legal or civic entity, but also a moral being with an individual soul, able to stand independently from his community, and even be disconnected from it. As early as the third and fourth centuries, the individual became a being irreducible except to himself, with an intimacy with himself, theoretically able to think by himself without any references. Finally, thanks to Christianity, morality was no longer a matter of how good one should be, but how just one should be. Morality is no longer substantial; it becomes a perfunctory obligation.

The ideal of disengagement finds its original expression in the Platonic, Stoic and Christian ideas according to which one should no longer look for virtue in public life, but rather one should strive for self-control through reason. But above all, as Charles Taylor demonstrated, the notion of *interiority* was the first moral source of the modern age, and it was to a large extent brought by Christianity. According to Saint Augustine, the way to God does not lead through an outside source, i.e., the visible world, but through reflexive conscience: "Instead of going outward, go inside yourself" ("*Noli foras ire, in teipsum redi*"). The heart becomes a self-sufficient, secluded space for meeting God, and social relations are no longer essential. That means that the proof of God's existence is found by experiencing interiority. At the same time, free will is redefined as the ability to consent. Consequently, individuality becomes a private affair.[7]

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6. Cf. Hubertus G. Hubbeling, "Some Remarks on the Concept of Person in Western Philosophy," in Hans G. Kippenberg, Yme B. Kuiper and Andy F. Sanders, eds., *Concepts of Person in Religion and Thought* (Berlin: Walter de Gruyter, 1990), pp. 9-24.

7. Cf. Louis Dumont, "Christian Beginnings of Modern Individualism," in Michael Carritgers, Steven Collins and Steven Lukes, eds., *The Category of Person. Anthropology, Philosophy, History* (Cambridge: Cambridge University Press, 1985), pp. 93-122.

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Descartes takes the internalization of moral sources further, encouraging men to assume a position of control by withdrawing from the outside world. He sublimated the subject, conferring him some kind of ontological solitude, in which the individual does not rely on relationships in order to exist. The soul is more than a look inside; it becomes an autonomous institution. Knowledge is now based on the true representation of things built through reason inside the mind. He objectifies the external world, subjecting it to technological appropriation. Thus, he introduces a new way of learning that will be adopted by the liberal thought: "Moral judgment comes exclusively from the internal activity of the mind; it is validated by procedural standards and not by substantial beliefs. [At the same time], the modern theme of 'human dignity' evolves from the valorization of the now self-sufficient interiority and the autonomous power of reason."[8]

This will be one of the major sources for the ideology of the individual. If identity is contained inside, Cartesian subjectivism imposes the conception of the subject as an independent and "disengaged" entity. Charles Taylor writes: "Disengagement and the idea that the nature of things is located inside both contributed to a new concept of individual independence. The disengaged subject is an independent being, i.e., the person has to find in himself the essential reasons for being and can no longer let the greater order dictate them to him. One of the consequences of this position, in the 17th century, is the emergence of a new political atomism, conveyed in particular by Grotius, Pufendorf, Locke and others in their theories concerning the social contract."[9]

Locke translates the ideal of disengagement into the rejection of any form of authority originating in tradition. The ideology of progress is already looming: the past has nothing to teach us because the future will necessarily be better. Hobbes thinks that the quest for recognition poses a direct threat to the political power. Paradoxically, political liberalism coincides with what the theoreticians of nationalism will state later, in so far as it hands over the monopoly of the production of the forms of culture and comprehension to the political power. The very liberal John Stuart Mill, for instance, thinks that democracy cannot function in a pluralistic society, using arguments that the anti-liberal Carl Schmitt would have approved. He writes: "Democratic power belongs to the people, but only if the people are united." According to this view, diversity will foment

8. Janie Pélabay, *Charles Taylor, penseur de la pluralité* (Quebec: Presses de l'université Laval, 2001), p. 67.

9. Taylor, *Les sources du moi*, *op. cit.*, p. 372.

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suspicion and the questions of identity become irrelevant.

Another new step is the valorization of "ordinary life" during the Reformation. This attitude is associated with the valorization of work and the rejection of mediations. Ordinary life defines the fields of production and reproduction, but according to Aristotle, a full human life cannot be restricted to this: that is why he counters the ideal of ordinary life with the ideal of "good life," which means achieving excellence through consistent participation in public life. Otherwise, ordinary life is private. The valorization of every day life implies that an individual's destiny does not rely only or primarily on his participation in the life of the community. Thus, it becomes possible to look at human individuality as a central authority capable of making decisions. At the same time, the idea that the purpose of science is to serve the needs of every day life promotes production efficiency and the endless accumulation of material goods. So, the Reformation places ordinary life at the center of the good life, so that they almost become one, and all the values that go beyond ordinary life become the subject of severe criticism.

Besides advocating the preeminence of practical life, the valorization of ordinary life also promotes emotional and romantic feelings. Calvinism especially insists on the virtues of work and family, which will become the foundation of the bourgeois value system. Self-interest becomes prevalent in all aspects of life. Novels no longer narrate collective sagas or archetypal stories, but they recount the fortunes and misfortunes of single individuals whose experiences are personal. Love gains new value. Intimate relationships become more and more important, as does the need for domestic space and private life. Feelings are starting to be considered as an essential part of what gives value to life.

Thus, the question of identity is definitely a modern phenomenon. It developed in the 18th century, supported by a burgeoning individualism which originated in the Christian valorization of the soul, in Descartes' rationalism, in the privileging of ordinary life and the private sphere, and finally, in Locke's theory, which favors individual free-will over social obligations. The emergence of the metaphysics of subjectivity, however, entails a contradiction. Modern valorization of nature generates an ideal of authenticity and expressiveness, which clashes with a homogenizing conception of the fragmented individual.

The ideas of inner life and ordinary life influenced Romanticism as well, but it was transformed into a desire for harmony with nature, and it imposed itself as a reaction against individualism, considered to be

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"hardening." Unlike the ideal of technology during the Enlightenment, self-expression elevates feelings above the demands of material production. Feelings gain creative powers. Spontaneity and creativity become virtues. Image as opposed to concept once again unveils the deeper meaning of things. The feelings nature awakens make it more valuable, nature is internalized. As Novalis wrote: "The secret path leads towards the inside." Reason was criticized for being emotionless, too analytical, and hostile to any sense of inclusiveness. Romanticism opposed the organic to the mechanical, the diversity of reality to the important univocal signifiers. Rousseau already encouraged ordinary life close to nature and combined with the virtues of civic humanism: listening to the voice of nature inside reveals the Good. The Self is united with the body, and through it, it interacts and is in close harmony with the surrounding nature; nature is no longer regarded as a lifeless object that can be owned, but as a source of harmonious truth and authenticity. Therefore, the question of identity becomes a question of self-fulfillment.

The theory of self-expression, which finds its fulfillment in German Romanticism and in Herder's philosophy, rests on the fundamental idea that, first of all, one has to listen to one's inner nature in order to discover oneself and then, that one's personality is absolutely unique. Moral action is then dictated by who one really is: "Acting according to my nature means listening to the voice, the impulse or the inner momentum."[10] Therefore, self-expression fosters another form of individuation based on the search for authenticity and the importance of differences. Those differences take on a moral significance: they become values and means of self-fulfillment. Each individual as well as each separate human group has its own way of life. This same aim at originality applies to peoples and historic communities. Herder refers to it to express his notion of national culture and "popular spirit" (*Volksgeist*), which will be at the origin of modern nationalism and anti-colonialism. A person will express his universal humanity only if he comes to terms with his inscription in a specific humanity first. One has to be human in one's own way, and not imitate others because it is inside oneself that one will discover one's own way of life. Culture then becomes essential because the questions concerning the ultimate horizon are no longer confined to the universal: "One is not born a man, as if humanity were an attribute given at birth: one becomes human through his anchoring in a cultural (or national) tradition.

10. Taylor, *Les sources du moi*, *op. cit.*, p. 470.

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In short, particularities make one human."[11] So, culture becomes a "*meta-good*," something intrinsically collective, because culture alone gives meaning and value to crucial goods, which define the points of reference of our identity."[12] As Taylor writes: "Self-expression provides the foundation for a new and more fulfilling individuation. It is the idea, which developed at the end of 18th century, that each individual is different and original, and that this originality determines how one should live. Of course, the simple notion of individual differences is not new. Nothing is more obvious or more commonplace. What is new is that this difference influences the way of life. Those differences are not just incidental variations within the same fundamental human nature. . . They mean that every one should follow his own path."[13]

The themes of recognition and exaltation of differences appear simultaneously. One's own identity can only be completely fulfilled if it is acknowledged by others. As Hegel observed, the individual yearns for acceptance of his identity, which indicates that he is definitely not self-sufficient. The individual defines himself, but he also needs "significant others" to acknowledge this definition. This is the base of the ethic of "authenticity."

This, however, is also ambiguous. At first, the ethic of authenticity is very individualistic[14] and therefore, in perfect agreement with modernity. But at the same time it rejects individualism by emphasizing return to nature, community spirit, the belief that each people has its own value system, etc. On the one hand, self-expression seems to revive the "cosmic" conception of the Ancient world. On the other, the individual, who is supposed to revive his bond with nature, is indisputably modern, mostly concerned with self-expression, i.e., he is directed by his subjectivity. Self-expression is therefore an obvious reaction against the Enlightenment, against the ideal of instrumental and disengaged reason. But the source of this reaction is the same: the individual. Even when the Romantics are calling for new Middle Ages or when they denounce modernity or the fascination with progress, they remain modern. They challenge individualism on the basis of individualism. They turn self-concern against

11. Pélabay, *Charles Taylor*, *op. cit.*, p. 78.
12. *Ibid.*, p. 209.
13. Taylor, *Les sources du moi*, *op. cit.*, pp. 470-471.
14. Taylor observes that the theory of self-expression is individualistic in three ways: "it valorizes autonomy; it attributes an important place to self-exploration, in particular of feelings; its conceptions of good life generally imply personal involvement. It follows that in the political language it uses, it formulates freedoms due to individuals in terms of subjective rights." *Ibid.*, pp. 389-390.

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itself by changing its impact but, just as their adversaries, they continue to subscribe to the metaphysics of subjectivity.

That is why Taylor insists that modernity produced *at the same time* egalitarian individualism and the "revolution of self-expression." The latter is only a relative contradiction to the former, both using the same original matrix. He also stresses the extraordinary importance of the problem of identity to the self-expression theory, which invites the individual to discover his own "authentic" nature and to find fulfillment on his own, rather than to comply with a set pattern. With self-expression, identity became a search: in order to be fulfilled, one needs to find oneself, and for that, one has to understand one's own identity.

2

Since the 17th, and especially the 18th century, the notion of freedom merges with the idea of the subject's independence to create a subject who is now free to set his own goals. Each individual is supposed to freely determine his own good using his will and his reason. The emergence of the individual happens at a time when belonging to a group becomes less relevant and when the ideology of the same is developing.

Emerging modernity constantly fought organic communities, and repeatedly discredited them as obstacles to human emancipation because of their ties to the past and to traditions. In this perspective, the ideal of "autonomy," quickly transformed into the ideal of independence, involves the rejection of any type of roots and also of any inherited social relationship. As Bauman writes: "Since the Enlightenment, it was accepted as obvious truth that human emancipation, the liberation of the true human potential required a complete break from all community ties and that the individuals be freed from the circumstances of their birth."[15] Modernity rests on a drastic reduction of the value of the past in the name of an optimistic vision of the future, which was seen as a radical rupture from what was before (ideology of progress). The prevailing model describes a man who has to be emancipated from his origins, not only because they dangerously limit his "freedom," but also and more importantly because they are not considered as part of the self. This same individual, however, removed from the context of his origin is essentially similar to any other, which is one of the conditions of his insertion into a developing market. Since progress is supposed to cause the disappearance of the communities, the

15. Bauman, *La vie en miettes*, *op. cit.*, p. 372.

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path to human emancipation does not go through the recognition of peculiar identities but through everybody's assimilation to a dominant model. Finally, the nation-state claims more and more often the monopoly on the production of social relationships. As Patrick Savidan writes, in the modern vision of the world, "the other is first of all viewed as same. This means that the other is a person just like me, a subject, and as a consequence, we should all have the same rights. In other words, we are all equal, i.e., the human being as a human being appears to be similar to me. From that standpoint, differences will be reduced and similarities will be promoted."[16] Modern liberal dynamics will sever men from their natural connections or communities and ignore their insertion in a particular group. It promotes a new form of anthropology, in which men have to free themselves from their ancestral customs and their organic ties in order to achieve freedom. This separation from "nature" is considered characteristic of human nature. Unlike classical thought, conformity to natural order is no longer an ideal; the capacity to free oneself from it becomes the ideal.[17] The modern liberal perspective rests on an atomist view of society, which is now constituted by rational, and fundamentally free individuals who are supposed to act as disengaged beings, liberated from any predetermination and likely to choose on their own the means and values guiding their actions. As Justine Lacroix wrote: "Whatever their differences might be, all liberal theories share the same universal postulate: they tend to ignore all empirical elements in order to reach transcendental conditions of possibility for a just society, which would be applicable to any reasonable community."[18] Alain Renaut agrees: "No liberal concept identifies man's humanity with the goals he has chosen, but with his ability to choose them."[19] Which means that men master their goals, but they are never

16. Patrick Savidan, "La reconnaissance des identités culturelles comme enjeu démocratique," in Ronan Le Coadic, ed., *Identité et démocratie. Diversité culturelle et mondialisation: repenser la démocratie* (Rennes: Presses Universitaires de Rennes, 2003), p. 234. Axel Honneth observes that the "the mixing between legal recognition and hierarchical order of value — what corresponds more or less to the moral foundation of all traditional societies — has disappeared with the emergence of bourgeois capitalism and the normative transformation of legal relations under growing market pressures and the simultaneous impact of post-traditional thinking." Honneth, "La reconnaissance: une piste pour la théorie sociale contemporaine," *ibid.*, pp. 216-217.

17. Cf. Robert Legros, *L'idée d'humanité. Introduction à la phénoménologie* (Paris: Grasset, 1990).

18. Justine Lacroix, *Communautarisme versus libéralisme. Quel modèle d'intégration politique?* (Bruxelles: Editions de l'Université de Bruxelles, 2003), p. 79.

19. Alain Renaut, *Libéralisme politique et pluralisme culturel* (Nantes: Pleins Feux, 1999), p. 36.

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overcome or determined by them. "I" am always defined by what "I" decide to be; a subject always makes independent choices, he remains close to his own peculiar situation, i.e., he chooses his own goals instead of discovering them. Therefore, liberal modernity states that "I" came first, before any goals or inherited relationship to a group. This, in turn, privileges the just over the good. Michael Sandel emphasizes: "While the morality of the just corresponds to the limits of the "Self" and illustrates our differences, the morality of the Good corresponds to the unity of people and illustrates our connections. In a deontological ethic where just comes before good, it means that what separates us comes before what connects us, both in an epistemological and in a moral sense."[20]

In this new ideological climate, identity is consistent with liberal and bourgeois individuality. Modernity separates singular identity from collective identity, and the latter becomes undifferentiated. Bernard Lamizet notes: "The recognition of the indistinction of rights is what made it possible for history to acknowledge the fundamental difference between singular identity, based on filiations and origin, and indistinct collective identity, based on social relationships and representation forms of sociability. . . In this sense, the universality of the law poses the fundamental question of the problem of identity."[21] Filiation becomes a private matter: "Since the institutional model rests on indistinction, filiation loses all meaning as to the structure of political identities that constitute the public sphere."[22]

From the outset, modernity attacks traditions and beliefs, at best secularizing them. It removes the question of identity from the sphere of "nature" and places it in the social and institutional field of political and economic practices, which are now restructuring the public space. It essentially separates the biological order of existence from the institutional order. The modern public space is organized as a space of indistinction, i.e., a space where the natural distinctions concerning social relations and filiation become insignificant. In the public space, people exist only as citizens with interchangeable political capacities. Law rules the public space. Abiding by the law means assuming the socially indistinct part of one's identity. (Nevertheless, this indistinction is still relative since it does not extend beyond the borders of citizenship. By making distinctions

20. Michael Sandel, *Le libéralisme et les limites de la justice* (Paris: Seuil, 1999), p. 200.

21. Bernard Lamizet, *Politique et identité* (Lyon: Presses universitaires de Lyon, 2002), pp. 302-304.

22. *Ibid.*, p. 109.

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between polities, political life creates differences between the different areas of social relations and sociability).

If the public space rules through indistinction, then identity can only be symbolic. Lamizet also notes that "historically, politically and socially, identity can only be symbolic since individuals are confused by indistinction. . . While, in the private space, we only present the forms and practices related to our filiation, in the public space, we show the forms and representations of our social relations and our sociability which, therefore, gain symbolic value and signification. . . As soon as identity acquires symbolic value, it becomes a mediation in the public space: it is not based on the characteristics of the individual, but on the dialectical power of sociability."[23]

For Hegel, human essence lies in self-consciousness. In 1844, Karl Marx said that, consequently, any alienation of human consciousness is alienation of self-consciousness. This is just another way of saying that alienation affects identity: without identity there is no self-consciousness. Nevertheless, the great ideologies of our times have rarely been interested in the problem of identity.

Marx, for instance, was never interested in the strictly normative dimension of social struggle because he stayed attached to a utilitarian anthropology, in which social classes represent before all the interest of the group. As Honneth wrote, "the subjects of a society are not mainly moral actors demanding a series of normative rules related to fields in which they will be responsible for errors, but they are actors with rational goals, who have certain interests."[24]

Freud himself has always been opposed to a global apprehension of the individual psyche. His theory is built around the notion of symptom, which lays in the unconscious and is therefore unknown to the self. The Freudian self has no specific personal identity. Freud is not interested in identity, but he is interested in identifications, which he explains from a transfer or projection perspective. Identification means first of all trying to realize inadmissible desires, especially during childhood or adolescence.[25]

Modernity means more than merely relegating organic relations and hierarchical values, which will in turn replace honor by dignity. It does not simply discredit the relationship to traditional communities, which are

23. *Ibid.*, pp. 11-12.
24. Honneth, "La reconnaissance: une piste pour la théorie . . ." *op. cit.*
25. It is noteworthy that Jean Laplanche's and Jean-Bertrand Pontalis' *Vocabulaire de la psychanalyse* (Paris: PUF, 1967) does not contain an entry for the term "identity."

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regarded as archaic vestiges or irrational tensions, nor does it only relegate differences into the private sphere where they cannot thrive because recognition can only take place in the public sphere. It is also based on the exclusion of any third party and a decrease in diversity. The whole history of modernity can be regarded as the continuous deployment of the ideology of the same: suppression of the castes and states by the Revolution, homogenization of the rules of language and law, progressive eradication of specific lifestyles related to housing, work, social environment or belief, the increasing indistinction concerning male and female social behavior. In every field, including (recently) the space of filiation, indistinction is growing and this process will reach its peak with globalization. Differentiated lifestyles have disappeared everywhere because of modernity. Old organic ties have been severed. Differences between lifestyles have grown smaller. Roles within the family have been altered. When it comes to the possibility of participating in the prevailing lifestyle, only quantitative inequalities, like buying power, remain. Marcel Gauchet described the result: "Belonging to a collectivity. . . tends to become unthinkable for individuals in search of individuality, while they are more than ever dependent on it."[26] Who am I? Who are we? Those are fundamental questions and modernity has consistently obscured them or made the answer more difficult.

Naturally, the rise of indistinction has also provoked reactions. Since the differentiation of subjects and objects necessarily structures perception, an *indistinct* society creates a feeling of uneasiness because it is perceived as chaotic and meaningless. That is why, as globalization instigates new fragmentations while it homogenizes different cultures, the rise of the ideology of the Same also initiates the question of identity and then constantly spurs it on. During the last two centuries this question took different forms, for example, the revolution of "self-expression," which set off the quest for "authenticity." But the question was also approached on societal and national levels.

The valorization of labor, originally upheld by the bourgeoisie as a reaction to the disinterested and therefore "unproductive" nobility provided the first substitute for identity. Within an industrialized division of labor, individual accomplishment creates a desire for recognition, based on the fact that one has a job, and on the feeling of pride resulting from "a

26. Marcel Gauchet, *La démocratie contre elle-même* (Paris: Gallimard-Tel, 2002), p. xxi.

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job well done."[27] But the new social division also transformed social class into a substitute for collective identity. In the 19th century, class war played a long underestimated role as far as identity is concerned. Belonging to a certain class represents a *status* (the status is the identity of a subject as defined by an institution) and the classes create their own specific culture. Class war allows new identities to crystallize, because class is not only defined by a socio-economic activity but also by an anthropological reference to the natural foundations of society. As Lamizet put it: "Classes acknowledge the controversial and dialectical nature of the differences between groups within the public space."[28]

Related or not to class war, politics also allows individuals to develop another identity, this time as citizens. At least in the beginning, political identities also created new specific cultures within certain sociological families. The institution of universal suffrage, too, is also an answer to the quest for identity: "Voting is nothing else than the power to give weight to the political identity one represents."[29] Clearly, political conflicts and struggles are related to identity because they put the identity of the social protagonists to test in the public space."[30]

Class identities, like political and ideological identities, are only sectoral identities competing with each other. More inclusive collective identities develop around them: national identities. Realizing that capitalism had lead to massification, which led to a "collective identity crisis," some 30 years ago Jean-Pierre Chevènement wrote that "a social being needs representation, the same way a person needs a body."[31] In the 19th century, this need for "incarnation" inspired national movements and all modern forms of nationalism, based on the idea that "political and national unity have to

27. "The individualist principle of accomplishment is in fact the only normative resource that the bourgeois and capitalist society has at its disposal to justify morally the extremely unequal distribution of opportunities and goods. Since belonging to a certain estate no longer regulates prestige in society and legal and economic privileges, which one enjoys, the ethico-religious valorization of work and the establishment of a capitalist market suggest that this prestige and the individual accomplishment are in fact interdependent." Honneth, "La reconnaissance: une piste pour la théorie. . . " *op. cit.*, p. 220.

28. Lamizet, *Politique et identité*, *op. cit.*, p. 13.

29. *Ibid.*, p. 205.

30. *Ibid.*, p. 192.

31. Jean-Pierre Chevènement, *Le vieux, la crise, le neuf* (Paris: Flammarion, 1974), p. 210. The then future Minister of Defense added that "the nation-state in France was built throughout the centuries by a line of cultural genocides" and that "the nationalist claims, which certainly should not be viewed as belonging to the past, are eminently popular." (*Ibid.*). This position was very different from the one he took later. See Lamizet, *Politique et identité* (Lyon: Presses universitaires de Lyon, 2002), pp. 302-304.

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be one and the same" (Ernest Gellner).

Thus, nationalism seems to be a typical offspring of modernity. But it is not only a political phenomenon. It feeds on imagination, a place where history, culture, religion, popular legends mix. Those elements are all revisited, idealized, transfigured, and end up as a coherent and legitimizing narrative.[32] Chantal Delsol wrote that "historically, each people identifies itself with specific values and models. When these values and models collapse, identity is threatened."[33] Values and models play an important role as providers of identity, as do "the great narratives" of the times of "disciplinary societies" (Michel Foucault): tales of the nation-states, of workers' emancipation, of the religion of progress, etc.

The classic distinction between "civil nations" and "ethnic nations," or, in Friedrich Meinecke's terms, between "political" nations and "cultural" nations, seems in this respect rather artificial for two reasons: first, because most national societies mix both principles, changing the proportions, and second, because the state primarily concerns society and all human societies are cultural societies.[34] Whatever their own particular political characteristics might have been, all nations have always resorted to national myths. During the monarchy, the French wanted to be (or believed they were) the spiritual heirs of the Trojans, the Franks and finally the Gauls. After the Revolution, as the nation defined itself in purely political terms, ignoring all the pre-political aspects that preceded the civil contract, the fundamental beliefs of identity remained strong. During the era of secularization, they compensated for weakened religious beliefs and sometimes even created true new secular religions.[35] Contemporary "nationism" might well be founded on a political ideal of State and citizenship, it would nevertheless be a mistake to believe that abstract political values are sufficient to create a common identity and, especially that they would suffice to convince their members to accept the sacrifices they sometimes require. Such demands can only be formulated if the bonds between citizens are perceived as a true "immediately binding Good," on the basis of the identification to a historic community, which

32. Cf. Ernest Gellner, *Nations and Nationalism* (Ithaca, NY: Cornell University Press, 1983).

33. Chantal Delsol, *La République. Une question française* (Paris: PUF, 2002), p. 98.

34. Cf. Alain Dieckhoff, *La nation dans tous ses Etats. Les identités nationales en mouvement* (Paris: Flammarion, 2000), pp. 41-43.

35. On this, see Anthony D. Smith, *Chosen People. Sacred Sources of National Identity* (Oxford: Oxford University Press, 2003).

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itself is founded on specific values.[36] Myths, legends, founding tales always play the same role: they are symbolic mediations that base sociability on the transmission of a common "knowledge" or a shared belief.

This "common knowledge" is of course largely imaginary. Most of the time, indisputable historical realities are subject to prestigious interpretations or perfectly arbitrary and idealistic projections.[37] The strongest phantasm is related to the origin, which is also a phantasm of purity: in the beginning everything was clear and simple, not yet affected by the complexity of the real story. It is the phantasm of the Golden Age. The same hermeneutics transforms supposedly fundamental events and heroes: Arminius and Vercingetorix, Charles Martel, Clovis or Joan of Arc who never had in real life the decisive importance that modern imagination gave them. The battles of Poitiers, Bouvines or Valmy were not great battles that changed history. Nevertheless they are considered to be "founding" events."

Under these circumstances, it is easy for the critics of national identity to require that "historical truth be restored." Their mistake lays in the fact that they do not recognize that, even though national identity often sprung out of the imagination, those illusions are nevertheless essential to the life of the group. They are also wrong to think that exposing the phantasm will destroy the sense of identity. The "phantasm" is more like a *myth.* The myth works not *although* it is a myth, but *because* it is a myth. A belief might well be false as far as its object is concerned, but it becomes "true" because of what it brings up in the individual or the group, or because of what it gives him. Marcel Detienne is wrong to make fun of the pretense for autochtony in a book, which, besides being offensive to Fernand Braudel, also presents Ancient Greeks as early disciples of Barrès.[38] Detienne hastily demonstrated how the Greeks invented imaginary ancestors with the help of complex myths and indecent stories. But he has not proved anything. Even though it is true that no one can be considered an autochthon, if one looks sufficiently far back in the past,

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36. Cf. Wayne Norman, "Les paradoxes du nationalisme civique," in Guy Laforest et Philippe de Lara, eds., *Charles Taylor et l'interprétation de l'identité moderne* (Paris: Cerf, 1998), pp. 155-170. Cf. also Claude Nicolet, *La fabrique d'une nation. La France entre Rome et les Germains* (Paris: Perrin, 2003).

37. Cf. Benedict Anderson, *Imagined Communities. Reflections on the Origin and Spread of Nationalism* (London: Verso, 1983); Wolfgang Bialas, ed., *Die nationale Identität der Deutschen. Philosophische Imaginationen und historischen Mentalitäten* (Bern-Frankfurt a/M: Peter Lang, 2002).

38. Marcel Detienne, *Comment être autochtone. Du pur Athénien au Français raciné* (Paris: Seuil, 2003).

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the conviction to be or not to be autochthon can nevertheless shape our consciousness and behaviors. As Leszek Kolakowski noted: "If contemporary Greeks, Italians, Indians, Copts or Chinese sincerely believe that they belong to the same ethnic community as their oldest ancestors, nobody can convince them otherwise."[39]

Durkheim was one of the first authors to mention "collective consciousness." Fourier talked about "sharing the same passions." More recently, the role of imagination in self representation within groups has been studied by Gilbert Durand (mythopoetics and structural anthropology) and by some psychoanalysts of the English school, followers of Melanie Klein.[40] Collective imagination is real: common representations and images build the framework of a group. All people and nations have a number of beliefs related to their origins or their history. Whether these beliefs refer to an objective reality, an idealized reality or to a myth is irrelevant. They just need to be reminiscent or representative of an *exordium temporis*, a founding moment. The Catholic Church always claimed to be legitimate because it was a mystical body; this legitimization allowed the Church to live on through the centuries independently from the moral value of its representatives or the evolution of its dogmas.

In the 19th and 20th centuries, the dialectic of nationality or class was particularly complex. During WWI, the former prevailed. The Right usually interpreted it as a proof that the notion of nation is a more profound, more substantial reality than the notion of class, which is only half true. National identity, along with the right to vote, the welfare state and the Fordist system, became one of the means used by capitalism, i.e., the masters of the capitalist world economy, to domesticate the "dangerous classes." Stimulating national solidarity was a way of inhibiting class war (or of "transcending" it, as fascism wanted, wrongly believing that it was possible to push the bourgeoisie to work for the nation). At the time, capitalism still had a national dimension, and liberalism, theoretically hostile

39. Leszek Kolakowski, "On Collective Identity," in *Partisan Review* (Winter 2002-2003), p. 10.

40. Cf. Didier Anzieu, *Le groupe et l'inconscient. L'imaginaire groupal* (Paris: Dunod, 1984). On the role of myth in politics, see also Georges Sorel and Carl Schmitt. There is a relation between historical "phantasm" and stereotype. The latter is an abusive generalization but, as all prejudice, favorable or not, that it generates, it is useful in constructing the ideal type. "Stereotyping involves categorizing, and categorization is indispensable to thought. The stereotype is also indispensable to social interaction, just as the cliché is to literature." Jacques-Philippe Leyens, Paola Maria Paladino and Stéphanie Demoulin, "Nous et les autres," in *Sciences humaines* (May 1999), p. 28.

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to the state, actually contributed to the rise of the national spirit. In the beginning, conservatives were not great supporters of the nation; it was still challenged by international socialism. Immanuel Wallerstein wrote that "only liberals envisioned the nation as an appropriate expression of the sum of individual wills."[41] Only later did the conservatives, followed by the socialists support this new political form.

3

The idea that social facts start with individuals is characteristic of liberal atomism. Liberalism stands for an idea of separation, of uprooting, which makes the transformation of the subject into a monad the necessary condition for his freedom. By favoring an instrumental and solipsist vision of reason, it rejects all access to knowledge that includes contexts of intelligibility such as the body (Merleau-Ponty), language (Wittgenstein) and community (Herder and Humboldt). Its political corollary is based on a rational contract and the primacy of law. It gives equal rights to all individuals, who act as members of an undifferentiated humanity. Individual dignity does not stem from the essential nature of the individual, but only from the fact that he is entitled to those rights. Restricting the common good to the defense and the attribution of those rights transforms public life into a legal battleground and encourages the escalation of demands. The school of communitarian thought opposes this idea and offers a different concept of society, of person and of identity.

For the communitarians, the major failure (anthropologically) of liberal thought is that it is based on the ideal of a "disengaged self" or an "unencumbered self." Since men are social animals, the individual can only survive within a society. The individual *per se* does not exist. Nobody can be defined solely as an individual, not even as one individual among others, but always as a being related to, as a member of a specific community, be it political, cultural, linguistic, religious or other. The human condition requires that the individual be always embedded in a value system, in a cultural, socio-historical field, which will allow him to understand himself. Men are *situated* beings. As soon as people are born, they are *already* something – something that will necessarily allow them to situate themselves, even if it is to distance themselves from it. This something makes them capable of reflexive conscience and helps them to position themselves, once they try to figure out the value of things. Taylor writes

41. Immanuel Wallerstein, *L'après-libéralisme. Essai sur un système-monde à réinventer* (L'Aube: La Tour d'Aigues, 1999), p. 57.

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that "our place in time is not locked in the present, it is related to a past, which has defined our identity, and to a future, which reexamines it."[42]

Michael Sandel mentions "constituent communities," Michael Walzer talks about "shared interpretations," Taylor about "horizons of significations," and Robert Bellah about "memory communities." All these terms refer to the same normative reality. Everyone inherits a "constituent community," which precedes him and which will constitute the roots of his values and norms. Each human action is influenced by a meaningful background, which is a particular history and culture. Constituent goods represent the norms, which allow the formulation of desires and choices. They are moral sources. As Taylor wrote, "My identity is defined by engagements and identifications, which provide the framework that will help me to determine, case by case, what is good or who has merit, or what one should do, or what I approve or disapprove. In other words, it sets the limits wherein I can position myself."

From this angle, culture cannot be defined simply as an instrument serving the well being of individuals or, worse, as a spectacle to be consumed. The relation to culture is not of the associative order. Culture is this *already there*, which will be the background for identity. Therefore, it is a norm that is intrinsically good, and not merely a relatively advantageous knowledge. Community is a privileged place where reciprocal recognition, and therefore self-esteem, have a chance to develop. Each community is first of all a community of meaning, of signification; as such, it ensures a form of communication favorable to individual recognition. Constituent communities provide a way of thinking, a way of being alive. As Lacroix put it, "To declare that a sense of community connects members of a community does not just mean they pursue the same collective goals or have the same feelings, but it also means that they perceive their identity as being in part defined by the community to which they belong."[43] By the same token, the way individuals perceive their identity determines the type of society in which they live.

Communitarian thought counters disengaged reason with incarnate reflection. It illustrates how unbearable a doctrine that separates the individual from all collective and transcendental values that existed hitherto

42. Charles Taylor, "Foucault, la liberté, la vérité," in David Couzens Hoy, ed., *Michel Foucault. Lectures critiques. Foucault en Amérique* (Bruxelles: De Boeck-Wesmael, 1989), p. 118.

43. Lacroix, *Communautarisme versus libéralisme*, *op. cit.*, p. 92. See also Sylvain Santi and Jean Derive, eds., *La communauté. Fondements psychologiques et idéologiques d'une représentation identitaire* (Grenoble: Publications de la MSH-Alpes, 2003).

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can be, it defends "the strong thesis that it is absolutely impossible to exist without references: in other words, that the limits within which we live our lives and which give them coherence, must include strong qualitative discriminations."[44] It represents man as an incarnated being, a subject-of-the-world, who cannot be removed from his context without being mutilated. Reduced to his condition of individual, man is no longer free, but just lonelier and therefore more vulnerable. As Sandel put it, "Imagining an individual free of constituent attachment is not looking at a free being, but it is imagining a being with no depth nor personality. On the contrary, immersion in a group is the first condition to realize self-fulfillment." Taylor adds that "liberal society is inhospitable to differences because it cannot accept the real aspirations of the members of distinct societies, which is their survival."[45]

Consequently, an individual can only choose from within a context of choices. Talking about freedom of choice by defining it as a pure affirmation, independent from a preexisting cultural context is nonsense. That is why communitarian authors object to the idea of a rational being in control of his choices, whose self-consciousness comes before his goals. Michael Walzer wrote that "this idealistic vision of the world, where autonomous individuals could freely and without constraints choose to create or sever ties is the perfect example of a false utopia. Sociologists always have found it absurd. . . . No society can survive without forging ties of another nature."[46] For liberal philosophy, the individual is always preexisting to his goals since his freedom supposedly resides in his capacity to dismiss the group to which he belongs. In contrast, the communitarian point of view is that people always determine their goals according to what made them what they are, which means that the community to which they belong, no matter what its nature, is part of them. Like it or not, the background for choices is already there. The individual discovers his goals rather than choosing them, which requires that he know himself. The construction of identity is the result of the discovery by an individual being built of the values and goals that define his existence and that are dependent on specific cultural and socio-historical spaces. Identity is constituted, at least in part, by goals that one discovers thanks to the common social context.

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44. Taylor, *Les sources du moi*, *op. cit.*, p. 45.
45. Charles Taylor, *Multiculturalisme. Différence et démocratie* (Paris: Aubier, 1994), p. 83.
46. Michael Walzer, *Raison et passion. Pour une critique du libéralisme* (Belval: Circé, 2003), p. 11.

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Communitarian thought offers an alternative to the liberal concept of freedom perceived as a separation or secession. "Good use of freedom means expressing in the most genuine way possible one's normative identity, i.e., one is truly free if one's actions reflect the intrinsically good deeds one has set as goals. . . . The better one knows the goal that defines one's identity, the greater one's freedom."[47]

Finally, identity is directly related to certain moral values, which means that the self can only exist in relation with the good. Liberal doctrines emphasize *the right* thing to do (deontological morality), whereas communitarian thought insists on *the good* (aretic morality). This is similar to the classic opposition between *Sittlichkeit* and *Moralität* of Hegel's critique of Kant's morality. The primacy of good over just is equivalent to the primacy of a substantial morality based on the idea of intrinsic values over a procedural and formal conception, which promotes the notion of obligation. Consequently, questions can only be considered to be moral if they are rooted in a cultural and socio-historical context, and not in an isolated subject or an abstract reasoning.

The definition of the common good is not only that it is shareable or shared, but also that what makes it a good can be shared too. It is a good shared *immediately*, a good whose sharing is considered a good. Therefore, a common good is different from a convergent good. Liberal authors define the latter as a good, whose finality is always individual even though it is shared collectively. It is a good specific to a citizen taken individually. This is an all the more untenable definition that there are collective goods, which cannot be divided into individual elements. From a liberal viewpoint, a political community is nothing more than the sum of the goods that individuals are allowed to enjoy. Here, community implies common good and its sharing. It becomes the place where common being exists. Values are not convergent, but common and shared. Communities based on shared values are stronger than those based on interest, because values unite and are easily shared, whereas interest fragments and cannot be easily shared. Common action is not limited to intersubjectivity. The group becomes a collective agent, which will intervene in public life as such. Finally, social institutions play more than an instrumental role; they have a constituent role. "Common spirit stems from common actions and meanings that public institutions represent."[48] That is why the public sphere is more than just a mere contingent grouping of individuals.

47. Pélabay, *Charles Taylor*, *op. cit.*, pp. 256-257.
48. *Ibid.*, p. 218.

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Since the relation to a cultural group sets the framework for the agents' options, liberalism, which pretends to guarantee autonomy to individuals, contradicts itself when it refuses to acknowledge those relations, because this refusal limits their autonomy. Modernity concentrated on allowing individuals to free themselves from fixed social roles and traditional identities by promoting the ideal of individual autonomy. This way freedom is in contradiction with culture: the more clearly one broke away from the determinations of birth, the greater the freedom. That the connection to the original culture is irrational and alienating has been frequently repeated and restated. It is nonetheless questionable, as Will Kymlicka demonstrated, when he noted that the modern desire for freedom does not weaken collective cultural identities, but, on the contrary, it stimulates them: "People who consider that autonomy is important also consider that national culture is important, because national cultures build the context, in which they can best develop and exercise their autonomy."[49]

Cultural identity does not in principle limit individual freedom and connections do not mean imprisonment. It is possible to widely criticize one's community of origin, but this criticism is inevitably rooted in the relation with the community. (One can hate France and at the same time, be French, but it is still as a Frenchman that one will hate it). That means that rejecting a connection is just another way of expressing it. As Adorno amusingly declared: "one has to have a tradition in order to hate it."[50] Even a citizen of the world can only express this option as a citizen of some part of the world; feeling oneself from nowhere can only be expressed as coming from somewhere.

4

Hegel was the first to emphasize the importance of recognition in 1807: complete self-consciousness calls for the recognition by others. The notion of *recognition* is essential as far as identity is concerned, both at the personal and the collective level. Lamizet adds: "Be it the constitution

49. Will Kymlicka, "Modernity and National Identity," in Shlomo Ben-Ami, Yoad Peled and Alberto Spektorowski, eds., *Ethnic Challenges to the Modern Nation State* (Basingstoke: Palgrave, 2000), p. 12. Kymlicka is one of those liberal authors who plead for recognition of cultural identities from the heritage of political liberalism, with the reservation, however, that these identities do not destabilize the foundations of liberal ideology. Cf. his essay on *La citoyenneté multiculturelle* (Paris: Découverte, 2001).

50. Theodor W. Adorno, *Minima Moralia. Réflexions sur la vie mutilée* (Paris: Payot, 2003), pp. 67-68.

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of one's own identity through the experience of self-recognition in the mirror or the recognition of the other through the experience of communication, the process of recognition is the foundation for the symbolic dimension of identity."[51] This need has always existed, but it has become more acute with the emergence of modernity, because identity, which is not based on hierarchical position, relies even more on the recognition of others. Identity and recognition are different (e.g., there exist not-recognized identities), but linked. As Savidan noted, following Hegel's thought, one should not believe "that identity appears first, followed by the question of its recognition, but that recognition is part of the definition of that identity, since it 'materializes' this identity."[52] So, recognition completes identity. There is a natural correlation: identity becomes complete through recognition. That is why Taylor defines it as the "condition for a successful identity."

Recognition of the other implies that he is different and that similarities stem first from the fact that everyone is different. So recognition is not eliminating the difference and assimilating the other with the same, as Levinas believed, but it is rather an accepted *otherness*. From this angle, equality of rights does not mean reduction of the other into the same. On the contrary, it includes the right to be different. The equal remains different, which means that equality is different from sameness. Universality is not what remains once differences have been removed (because, in this case, there is nothing left), but it is something that feeds on differences and particularities. Since human nature always appears under multiple modalities, human identity is never one, but it is always differentiated. A political and legal interpretation of this basic element leads to the substitution of a regime of similarities by a regime respectful of differences. Durkheim had already evoked a solidarity deriving from differences, rather than from similarities. This proposition can be translated in more contemporary terms into the idea that recognition of differences is exactly what is most able to unite people.

The problem of the recognition of identities is strongly resurfacing nowadays because of the crisis affecting the Western nation-state. In the post-modern era, the great project of a unified, controlled space built from the top down is strongly challenged. Zygmunt Bauman noted that "the great identities meticulously built by the nation-states are collapsing. . . . The building of identity, and moreover the maintenance of identity, has

51. Lamizet, *Politique et identité*, *op. cit.*, p. 20.
52. Savidan, "La reconnaissance des identités culturelles," *op. cit.*, p. 233.

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become, under those circumstances, a makeshift job, without any obvious workshops or plant directors. It seems that the production of identity, like the rest of industry, has been deregulated and privatized."[53] In the general context of fading points of reference, the nation-state is no longer successful in integrating groups, nor in (re-)creating social ties. It no longer provides members of society with a feeling of unity, with a purpose in life or death, i.e., a reason to sacrifice one's personal interest, or even one's life to a reality or a notion greater than one's own individuality. It appears to be an abstract, bureaucratic structure, removed from real life. This evolution encourages all kinds of particular affirmations. The need for identity "tends to become stronger (and more disjunctive as in the past) since it has become obvious that the nation-states have failed in their roles of producer and provider of identity."[54] National identities are disintegrating in favor of other forms of identity. The more "national identity" is weakening, the more societies look for alternative communities providing identity.

Above all, identity has become a political problem. Since the goal of recognition is to be recognized by all, the public sphere alone is able to provide the right environment. Identity then combines all actions and practices, which allow *political* recognition in the public place. That is why the protection of those identities (cultural, linguistic, religious, sexual, etc.), i.e., what Irving Fetscher called "the right to be myself"[55] — plays such an important role in current social and political conflicts.

The goal of this demand for recognition is to escape a situation where differences are relegated to the private sphere, where therefore, it inevitably becomes dominated by public power. It expresses the desire to inscribe into the space of communication and sociability an identity, which has hitherto been denied the capabilities and powers of a political entity. As Lamizet wrote: "Identity only has relevance and, respectively, institutional credibility, if it gains recognition and accreditation in the public space: its institutional value comes from the authority of a signifier."[56] So, the definition of public space as a space of indistinction is unequivocally being challenged by requests for identity. They suggest replacing a "neutral" public space, which does not recognize specific relations, by a new public space, which would be structured by them. At the same time, such demands show egalitarianism to be hostile to differences as it renders a standardizing vision of

53. Bauman, *La vie en miettes*, *op. cit.*, pp. 216-217.
54. *Ibid.*, p. 259.
55. Irving Fetscher, *Arbeit und Spiel. Essays zur Kulturkritik und Sozialphilosophie* (Stuttgart: Reclam, 1983), pp. 146-165.
56. Lamizet, *Politique et identité*, *op. cit.*, p. 58.

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the world, which in turn is nothing else but a cultural principle disguised as a universal principle. Requests for identity no longer contend with a moral and political universalism, which has too often been the forefront for undisclosed practices of domination. We should incorporate a true policy of recognition of the differences into the organization of society, because this recognition represents the foundation of social ties. The path to social justice leads not only through redistribution, but also through recognition.[57] It calls for *a policy of recognition* from the authorities.[58]

Such policy necessarily relies on mutual recognition, or reciprocity: the one whose difference has been recognized has to recognize the one who recognized him. In addition, a policy of recognition should not serve as an excuse for relativism. To respect the right to be different does not mean to renounce any possibility for moral judgment of this difference, because if all values are equal, nothing has value. It means avoiding that this judgment arbitrarily becomes universal and it means handling it cautiously when it comes to judge it by the law.

Today, there are four main identity groups: the largest one involves cultural groups (regionalists and separatists, endangered populations, religious minorities, etc.), followed by attribution and imputation groups, groups of volunteers and lobbyists, and religious groups. Mutual identification is what allows their existence. All of them have recognizable social markers, which attracts individuals to join them. These markers entail social expectations, according to which the members of the group are supposed to think, act and behave. They have an objective and a subjective dimension. They can originate from the group itself or they can be imposed from the outside in a hostile manner. In this case, the general attitude within the group will be to try to position itself so that the negative social markers can be transformed into positive markers (e.g., "gay pride" replaces the degrading stigma of "queer," the beggars now proudly claim the name previously used to vilify them, African-Americans state that "*black is beautiful*," etc.). So, while social markers are relatively invariable, what changes is the value granted to them.

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57. Cf. Axel Honneth, "Recognition or Redistribution? Changing Perspectives on the Moral Order of Society," in Scott Last and Mike Featherstone, eds., *Recognition and Difference* (London: Sage Publ., 2002), pp. 43-55.

58. Cf. Amy Gutman, ed., *Multiculturalism and the "Politics of Recognition,"* (Princeton: Princeton University Press, 1992); Charles Taylor, "The Politics of Recognition," in Amy Gutman, ed., *Multiculturalism. Examining the Politics of Recognition* (Princeton: Princeton University Press, 1994); Axel Honneth, *The Struggle for Recognition. The Moral Grammar of Social Conflicts* (Cambridge: Polity Press, 1995).

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In the past, ethnicity had almost no political or existential relevance, but today it is one of those social markers. Ethnic components are more than just of bio-anthropological nature; they are also cultural components, that could become elements of social differentiation and categories pertinent for political action, because they are (relatively) stable. As Alain Policar wrote: "They have even been accepted as a new paradigm for social sciences, putting an emphasis on the preservation of loyalty toward communities in modern societies and on the heterogeneity of traditional societies. This double acknowledgement permits us to rectify two presumptions: first, that ethnic groups constitute homogeneous groups, and second, that ethnic ties are bound to disappear with modernization."[59]

These groups of identity should not be confused with interest groups. The difference lays in the fact that there is no need for mutual identification among the members (any individual can join an interest group as long as he shares the same instrumental interest with the rest of the group). Of course, identity groups can also defend the interests of their members, and that is what they do most of the time, but this activity is only a consequence of the group's existence: it is not its *raison d'être*. In this case, interest is not the fundamental element; it is only a by-product of the identity of the group. Amy Gutman summarizes this difference: "The politics of identity groups is linked to the idea of what people *are*, whereas the politics of interest groups is related to the idea of what people *want*."[60]

The presence of identity groups obviously is a problem for contemporary liberal democracies. These groups often represent a resurgence of a way of being together, of a form of community, to which modernity had presumably put an end. Modernity had dealt with organic ties as limitations that every man had to overcome in order to achieve freedom. Nevertheless, today a lot of people spontaneously join communities, without giving up their freedom. The prevailing ideology remains suspicious, and is often decidedly hostile toward identity groups, while easily accepting interest groups. It perceives the latter as pacifistic in nature, and the former as inherently conflictual, simply because interests are always negotiable, whereas values are not (ignoring by the same token that, if the individual chooses to identify himself with other individuals, the perception of his own interest will change). That is why this ideology accentuates the sometimes real flaws

59. Alain Policar, "De l'ethnique en République," in *Libération* (Nov. 6, 2003), p. 35. On ethnicity as a concept, cf. Vernon Van Dyke, *Human Rights, Ethnicity and Discrimination* (Westport: Greenwood, 1985).

60. Amy Gutman, *Identity and Democracy* (Princeton: Princeton University Press, 2003), p. 15.

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of the communities and gladly offers an almost pathological vision of them.

Identity demands are therefore frequently treated as a "reactionary" phenomenon, an "irrational" aspiration to return to the past, to get back to a bygone "stage," or as an attempt to be exonerated from the "common law" by trying to create a "state within the state." The need for recognition is often regarded as a regressive idea, a symbol for political, social and moral backwardness, and as a threat to the unity of the political society. The same hostility applies to the notion of ethnicity, which is supposed to confine social life to "determinisms," limiting the freedom of agents. The all-relative contrast between inherited identities and chosen identities is also used to challenge the former by recognizing only the legitimacy of the latter. Inherited identities shaped by familial legacy are discredited because they refer to simple "nature."

Refusal to recognize identities has been especially prominent and constant in the "republican" tradition of French Jacobinism. While it transferred collective differences to the private sphere in order to contain them, it redefined the nation as a post-communitarian space, i.e., as a political space based on the normative principle of cultural and ethnic homogeneity. The idea of "citizenship" lost its specific substratum (one is always a member of a given society), and was given a "universal" dimension. From this perspective, every polity implies a clean sweep; each attempt to reaffirm a particularity becomes a secession attempt. To be "republican" would mean to refuse differences, at least their political visibility, i.e., their recognition in the public sphere. It would mean to privilege similarities over differences, drawing a superficial parallel between difference and particular interest on one side, and similarity and common interest on the other side. I.e., the "Republic" can only be based on the omission or the negation of communities.

Elisabeth Badinter draws a clear parallel between Republic, universalism and indifference toward differences[61]: "For me, the Republic is not

61. "Qui menace la République?" debate with Alain Touraine, in *Le Nouvel Observateur* (June 19, 2003), pp. 26-28. In 1973, Badinter expressed a radically different view. In a commentary on Tocqueville, "Le droit à la différence," in *Combat*, (Feb. 19, 1973), she wrote: "For Tocqueville, freedom supposes first of all the possibility and the acceptance of difference. Does that mean that one has to give up trying to reconcile the equality of rights and the right to freedom? The charges against our society, which denounce the same problem in a different language, show that the question still exists. Some contemporary sociologists — and prominent ones, too — have elaborated on this debate, which Tocqueville opened. Under the guise of equality is hidden a deep desire for uniformity which is not innocuous. Today, it is hard to resist the desire to efface the differences between our culture and others, to reduce the other to a part of us. . . . Claude Lévi-Strauss rightly denounced 'the worldly civilization, which destroys the old particularities, of which the honor of having created aesthetic values, which has taken its toll.'"

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an empty word, neither is universalism. Every time one advocates differences rather than similarities, one touches on a process of confrontation. I do not demand the right to be different; I demand the right to indifference. One has to escape the limits of biological, cultural and social determinisms." This reminds of Montesquieu: "I call virtue in the republic the love for the country, i.e., the love for equality!"

The current denunciation of demands for identity, in the name of the "Republic" or of globalization is a repetition of the Jacobin assimilation discourse, which saw the will to maintain traditional identities as equivalent to a refusal of "progress." The arguments against "communitarianism" used nowadays are exactly the same that were used earlier to oppress minorities or to eradicate regional cultures and languages. The paradox of this fight against particularities lies in the fact that, historically, it has always been waged in the name of a connection that is just as specific, but was presented as universal, and relied on its alleged universality to legitimate its designs for assimilation or domination. It is obvious in the Republic's fight against regionalisms. As Savidan notes, "Brittany's identity has not been negated in the name of the Ile de France, but in the name of reason, progress, freedom, equality and the universality of the Law."[62]

The assimilation of republican values with "universal" values should not fool anyone. The attitude, which opposes the "Republic" to "community" identities, is only a linguistic trick. In reality, it means privileging connections, chosen by only a few, over inherited connections. To proclaim that republican identity should prevail over all others is a way of saying that the connection to the nation supersedes any other connections. As Alain Touraine noted, "The goal is to eliminate differences and real social and cultural identities, and to place the relation to the nation above everything else."[63] Implicitly, it is a zero sum game where anything granted to specific identities would take away from the "Republic." Common law is not perceived as what exceeds and includes duly recognized distinctive identities, but as what permits ignoring or eliminating them. On the question of this republican formalism, Savidan asks: "Does such an attitude not run the risk of depoliticizing society even more by establishing a citizenship based on the model of an abstract, generic humanity that empirical individuals find hard to invest?"[64] All it takes to get out of this dilemma is to understand that the nation with its necessary common law can also recognize different identities, it can (re-)build them, instead

62. Savidan, "La reconnaissance des identités culturelles," *op. cit.*, p. 234.
63. Debate with Badinter, *op. cit.*, p. 26.
64. Savidan, "La reconnaissance des identités culturelles," *op. cit.*, p. 240.

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of ignoring or destroying them.

The recurrent idea that differences, and consequently, their recognition would be a source of conflict is just as doubtful. Similarities also generate conflicts, if only through mimetic rivalry. Moreover, as Claude Lévi-Strauss noted, next to differences resulting from distance, "there are those, just as important, that arise from proximity: desire to oppose, to distinguish one's self, to be one's self."[65] In several respects, similarity galvanizes differences. But, above all, as Tocqueville had already noted, it is the denial of recognition that is intrinsically conflictual. Historical experience reveals it clearly: the refusal to entitle demands for identity provokes aggressive tensions, convulsive expression, and all the evils usually associated with their plain acceptation. Pierre-André Taguieff defines "communitarism" as a socio-political project, whose goal is to subject members of a specific group to the norms that are supposed to be specific to that group."[66] Elsewhere, he states that "multiculturalism means imposing on each individual a group identity, determined at birth and defined by his origins."[67] At most, that definition applies to caricatures of belonging. It aims at surreptitiously disguising the *right* to be different as a *duty* to belong, which is completely different. A right is not an obligation. The right to be different is not a matter of "submission" or "obligation," it is only the freedom, given to those who want it, to build themselves on the basis of what they are (or what they think they are), to intervene in public life without having to renounce their origins. Of course, some "advocates of identity" have taken this to an extreme, interpreting any distance from the group as treason. Numerous surveys show that the demands for recognition expressed nowadays do not correspond to a will for separation, but rather to a desire for integration on the basis of a recognized identity. In this respect, Tzvetan Todorov is right to write that "difference is good because it opens the door to universality."[68]

The "republican" champions also argue that a society that recognizes differences can no longer refer to the notion of general interest or common good. The truth, however, is that it is liberal society that denies such a notion because it only wants to recognize individuals. Medieval society, based on differences, stressed most fervently the notion of common good.

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65. Claude Lévi-Strauss, *Race et histoire* (Paris: Gonthier, 1968), p. 17.
66. Pierre-André Taguieff, in *Le Figaro* (July 17, 2003).
67. Pierre-André Taguieff, *Résister au bougisme* (Paris: Mille et une nuits, 2001), p. 48.
68. Tzvetan Todorov, "Du culte de la différence à la sacralisation de la victime," in *Esprit* (June 1995), p. 97.

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The fact that individuals, whatever their other connections might be, have to submit to the general law does not imply that that general law should consider their other connections to be insignificant or non-existent. Experience also contradicts the classic argument that recognition of communities would automatically cause the crumbling of trans-community solidarities, and would weaken citizenship due to the escalation of demands and a tendency to dissociation or disintegration. In the US, the recognition of distinctive communities did not undermine American patriotism; in Europe, countries, which institutionalized delegation of power to regions, have not become victims of a devastating balkanization.

Contrary to the position of "republican" formalists, communities do not endanger the Republic, but individualist fragmentation, associated with ambient Jacobinism, which engenders pathological community affirmations does. Communitarianism is the logical consequence of a society, which refuses to recognize demands for identity, of its malfunctioning, and not the reason for the disintegration of the Republic. It is less an expression of rejection than it is a reaction of disappointment. Anomie, resulting from the "neutrality" of liberal societies, pushes communities to assert themselves as exclusive groups, excluding each other. Indeed, the denial of recognition pushes groups to assert themselves, but they no longer feel bound to a common structure and law, and no longer see the necessity for a common argumentative space. This is why a policy of recognition of the differences, associated with an extension of democratic participation and a regeneration of the notion of citizenship based on the principle of subsidiarity, is essential. Far from the idea that the existence of identity groups is incompatible with democracy, the recognition of communities can, on the contrary, create the conditions for a better participation in public life. Democracy consists in recognizing the political equality of the citizens and not in denying particularities, as long as the legal attributions they induce remain compatible with the law. Diversity cannot continue to stay outside of citizenship, and citizenship has to stop being synonymous with uniformity.

5

Most of the conceptual tools used to talk about individual identity can easily be transposed onto collective identities. It is because groups constitute specific organisms and because, in addition, the personal identity of a subject is built around his social environment.[69] In everyone, individual

69. On the similarity of the problems of individual and collective identity, cf. Kolakowski, "On Collective Identity," *op. cit.*, pp. 7-15.

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and collective identities are indissolubly mixed. Nobody realizes his destiny alone. An individual cannot be considered an absolute object. The being of the human being is not limited to the *topos* of the individual, but extends to the common environment, which contributes to his constitution. Human existence is, first of all, an extension toward the outside, as demonstrated by Heidegger's notion of *Ausser-sich-sein*. To find out who I am, I first have to know where I am. As Merleau-Ponty recognized, the *body* is a synthesis of body and social environment. By the same token, citizenship implies fellow-citizenship: citizenship is not the attribute of an individual, but the attribute of the fellow-citizen. The full definition of the identity of an individual necessarily includes his life context, the space he shares with others, because he will define himself according to the perception he has of it. The group always transfers a part of its identity to the individual through the language and the institutions.[70] It is impossible to define an *I* or a *We* without referring to other than the *I* or the *We*.

"I" implies existence, but it is not enough to be an identity. Of course, identity is what gives meaning to existence, but, since existence is never purely individual, the question of identity necessarily takes on a social dimension. Even the legal identity of an individual is not limited to his civil status, but is linked to several types of contracts (marriage, work, etc.), which are partly regulated by law, but which also depend on the evolution of law and social relations. Finally, the notion of person only makes sense in relation to anthropology. That is why identity has to be reflected upon in a context of social network. Identity is not created only in connection with the subject, but also with the identity of others.

Identity cannot be limited to identifications. To study it in such a static manner means to reify it. In order to understand identity in its dynamic reality, one has to view it as a permanent process, not merely related to the identifications of the subject, but also subjected to outside pressures and influences. Both for the individual and for the group, identity implies constant back and forth between the feelings inside and the perception of the outside. It is because there are always two dimensions to the identity of a subject: one that makes him a specific subject, another that makes him a social subject.[71] The relationship with others always

70. Cf. Mary Douglas, who argues that "the institution decrees identity." See *Comment pensent les institutions* (Paris: La Découverte, 1979), pp. 73-84.

71. Cf. Pierre Moessinger, *Le jeu de l'identité* (Paris: PUF, 2000); Hélène Chauchat, "Du fondement social de l'identité du sujet," in Hélène Chauchat and Annick Durand-Delvigne, eds., *De l'identité du sujet au lien social. L'étude des processus identitaires* (Paris: PUF, 1999), pp. 7-26.

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constitutes the foundation of one's identity and it will support the subject in his symbolic experience of sociability.

Of course, the relationship with others can be either emphatic or hostile. Giovanni Sartori is right to say that "the otherness is a necessary complement to identity: we are what we are, the way we are, depending on what we are not and the way we are not."[72] Nevertheless, even a bad relationship is first of all a relationship. Marcel Mauss demonstrated that even a gift brings identity into play, because it "is not limited to giving something to someone," but it "means to give one's self to someone through the mediation of something." That is why a gift is based on reciprocity. A gift given to someone, who is not supposed to return the favor, is a gift that does not recognize the identity of the person who receives it. This is at the core of the problem of recognition.

But this is also at the core of the problem of identity, because each identity, every awareness of identity supposes the existence of others. (e.g., Robinson on his island has no identity; he gains one when Friday arrives). Identities are forged through social interaction, so that there is no identity outside of relations with others. Ethnic identity rests on the same idea: it is never purely endogenous, but is "based on the categorization by others and the identification to a particular group" (Alain Policar). Since identity is language, every language implies a dialogue. The dialogue itself contains its share of possible conflict, in the sense that it is a confrontation.

Every identity implies a dialogue. This means that the self can only become autonomous if it has an identity related to the dialogue. But that also means that the other is part of one's identity, because he helps reach its realization.

Individualism only envisions the relation to the other from an instrumental and interested point of view; the only justification for social relations is that it increases one's interest and immediate self-fulfillment. From a communitarian point of view, social relations are part of identity. As Taylor writes, the other is also "an element of my internal identity."[73]

The group and the individual both need to be confronted by "significant others." Therefore, it is nonsense to believe that identity would be better preserved without this confrontation; actually, it is the opposite: confrontation makes identity possible. Other subjects make a subject become subject. One cannot respect the relations of others, if one does not assume one's

72. Giovanni Sartori, *Pluralisme, multiculturalisme et étrangers. Essai sur la société multiethnique* (Paris: Editions des Syrtes, 2003), p. 43.

73. Charles Taylor, *Le malaise de la modernité* (Paris: Cerf, 1994), p. 42.

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own, and one cannot assume one's own without respecting the others.

Pierre Nora noted that the more identity references disappear, the more the idea of identity becomes a collective notion, a collective form of self-definition.[74] That is no accident. Collective identity is at the same time a totality and a combination. It allows self-recognition and self-production, even if things change. It is where social semantic is produced.

Ethno-psychology studies collective identities and their ties to territorial roots; their primary form is the ethnic group. This type of collective identity is usually called ethno-type. It is a system that conveys meaning, a system of significations, which connotes the original articulation of politics, economics and ideology in dialectic relation with a given environment and the identity of other groups. The ethno-type, which of course is only an ideal-type, can be studied either systematically as a transformational structure (the ethno-type filters "*inputs*" and "*outputs*"), or in a semiotic way, i.e., as a group of signifiers and signified.

Collective action is inseparable from the relation to the good (what has value as opposed to what does not), which positions the individuals within a particular cultural framework. Culture is a symbolic mediation of social relations (it inscribes identity in the field of symbolic practices, which are propagated into the public space). It is also the place where identities are inscribed; culture structures relations as well as all social practices used to display, to exchange or to make one's identity heard. Bernard Lamizet defines it as "the forms and practices, which inscribe social relations into the real experience of those who represent it or claim the social connection, which grounds them in the symbolic practices that give meaning to their existence."[75] So, naturally, identity gains recognition in the public space through the forms of cultural mediation.

6

It is a common mistake to define identity as an essence based on intangible attributes. Identity is not a static essence or reality. It is a substance, a dynamic reality and therefore it constitutes a repertoire. Since it is not a homogenous, continuous, univocal element, it can only exist in a dynamic, dialectic logic of ever-changing difference.

Identity expresses more than a particularity or the permanence of that particularity. Identity viewed within a notion of continuity will quickly

74. Pierre Nora, "Pour une histoire au second degré," in *Le débat* (November-December 2002), pp. 24-31.

75. Lamizet, *Politique et identité*, *op. cit.*, p. 9.

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illustrate its limits: continuity also involves change, just as defining oneself implies a relation to the other. Taylor emphasizes: "What we *are* can never solve the problem of our condition, because we are always changing and *becoming different*."[76] First of all, one is what one has *become* and this is the base from which one projects the future. So there is no identity without transformation; keeping in mind that those two terms are not contradictory. An example from the organic world is the body: from the beginning of one's existence, the body has always been *his* body, yet all its cells have been renewed several times. It is no different for cultures and people. It is a wrong idea that peoples "always remain the same," even when history puts them through formidable changes and mutations. The right idea is that they have a *specific* capacity to change. So, it is not so much that identity is permanent, but it is the instance that defines and attributes this identity that is permanent. Identity is not what never changes, but, on the contrary, it is what allows one to constantly change without giving up who one is.

Paul Ricoeur makes the right distinction between *idem* identity and *ipse* identity, "sameness" and "ipseity."[77] The permanence of the collective being through constant changes (*ipse* identity) cannot be reduced to the idea of repetition (*idem* identity). Real identity does not refer to sameness, which is a certain order of things, but to the *ipseitas*, which defines the statute of the living. *Ipseitas* is the differential value. Identity preserves *ipseitas* through all the changes.

Furthermore, identity is always multi-faceted because, if common experience is the driving force behind human societies, this experience itself is never one-dimensional (hence the "polytheism of values" mentioned by Max Weber). Everyone belongs to multiple groups (linguistic, cultural, national, political, professional, sexual, etc.), which are not always compatible.

For the ideology of modernity, identity is entirely a problem of personal choice: birth has nothing to do with it, it is only a matter of choice. This is true and false at the same time. At birth, something is already there, a background, which is the foundation for self-construction; but it is not a restrictive force. There is free will, but there are also limits to that free will. This is just another way of saying that determinism cannot be escaped, but that no determinism is entirely determining.

On the other hand, it is true that the progressive dissolution of organic

76. Taylor, *Les sources du moi*, *op. cit.*, p. 71.
77. Paul Ricoeur, *Soi-même comme un autre* (Paris: Seuil, 1990).

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relations and the ensuing loss of references have made more true the fact that the individual himself has to intervene to make his own choice. Consequently, if "the subjective and the objective are two intimately linked sides of the same process towards identity,"[78] it is important to examine how the subjective and the objective sides of identity merge and unite.

Subjective identity is the one that any instance, individual subject or group, ascribes to him. Objective identity consists either in the identity ascribed to this instance by its spatial and temporal environment, or in a part of subjective identity that can be proven to be real. There is absolutely no doubt that the subjective part has nowadays become fundamental. As Taylor states: "things that were earlier centered around an outside reality, e.g. the law or nature, are now depending on our capacity to choose."[79] Pélabay adds: "In the future, identity will be the result of negotiation between my original creation and my history, the group I belong to, the tradition, i.e., everything that 'other meaning producers' (*donneurs de sens*) have passed on to me. Which means that, even if I strictly conform to tradition, my identity still needs final recognition on my part."[80]

Of course, this last point is essential. It means that the connection to a group, even if it is inherited, will not be a marker of one's identity, unless one accepts or wants to consider it as such. Just being French, Italian or German will not by itself determine one's identity. It will only determine it if belonging to a nation or to any other entity is the decisive criterion for one's thoughts and actions. Being a member of a people, a class, an ethnic group is completely irrelevant if this membership has no meaning for the person. It could determine some thoughts and behaviors, but only subconsciously. It could help others identify the individual, but it will not identify him in his own eyes. It will not be a conscious action as long as one does not regard it as a potential conscious action, i.e., as long as the individual has not accepted, chosen or wanted it to be that.

So, subjective identity implies that one has the necessary autonomy to perceive, evaluate and interpret himself. One decides what is important: of course, such decisions are grounded in an inherited background, in a context given before, but it is the individual's reflexive and hermeneutic capacities that determine what criteria or values to be privileged. Here again, things are as important as one chooses them to be.

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78. Jacques Berque, "Identités collectives et sujets de l'histoire," in Guy Michaud, ed., *Identités collectives et relations inter-culturelles* (Bruxelles: Complexe, 1978), p. 14.
79. Taylor, *La malaise de la modernité, op. cit.*, p. 87.
80. Pélabay, *Charles Taylor, op. cit.*, p. 88.

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This observation puts in perspective the opposition between inherited identities and chosen identities. There are unquestionably numerous associations, which cannot be subject to choice, according to the liberal doctrine's definition of that term. They are the "involuntary associations" mentioned by Michael Walzer, when he writes that community life "in numerous fields is not designed by a liberal hero or an individual free to choose his own allegiance. On the contrary, a lot of us are already members of groups, which could prove to be determining."[81] Family and gender are of course among the most important of those "involuntary associations," but there is also nation, or country, social class, culture, moral values or religion. "Because of their nature and the value we give them, involuntary associations play a significant role in our decision to voluntarily join other groups. Historically and biographically, the former precede the latter, and form the ineluctable background for social life with or without freedom and equality."[82] This observation is absolutely true, but, nevertheless, those inherited involuntary associations are not absolute. They limit, but do not eliminate one's capacity to free oneself from them. Even identity related to gender or filiation only becomes an element of identity if one decides to consider it as such.

Well known is René Char's wonderful phrase: "no testament precedes our heritage." A testament shares the inheritance. But, with humans, each beneficiary has to determine the nature of his share. To inherit means not only to identify oneself with the inheritance, but to determine the means to appropriate it. One pursues the inheritance, but also tries to shape it through his own perception of it. This shaping is a narrative process. For the individual, as well as for the group, the relation to oneself is never immediate. It passes through a series of representations and narrations that one offers to oneself. Alasdair MacIntyre shows very well that the unity of human life can be assimilated to the unity of a narrative quest: "I can only answer the question "what should I do?" if I can answer the preceding question: which story or stories do I belong to?"[83]

Objective or subjective identity both always contain a premise. It is not only an object one has to discover, but one also has to interpret it. As Dilthey, Gadamer or Ricoeur had noted, human life is fundamentally interpretative, which means it is not content with the description of

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81. Walzer, *Raison et pasion, op. cit.*, p. 7.
82. *Ibid.*, pp. 33-34.
83. Alasdair MacIntyre, *Après la vertu. Etude de théorie morale* (Paris: PUF, 1997), p. 210.

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objects; it tries to give them meaning. Taylor reminds us that a man is "an animal that interprets itself."[84] He is part of a hermeneutic circle, which is a space of common significations. He belongs to the world, which constitutes *him* and to the world which *he* constitutes. Identity follows the same rule. It is a partly implicit definition of oneself that the individual develops and redefines throughout his life, through an absolutely vital process. Identity is fundamentally of a narrative and auto-narrative nature. Its real subject is the narrator himself.

Similar to the narrative self, collective identity is based and evolves around the self-representations it produces. Far from an eternal essence or a fixed given, it narrates itself using a continuous process of self-definition. To have an identity means to be able to put it in a narrative form: a form, which "unveils" identity in the Heideggerian sense of the term, i.e., always preserving some level of opacity and dissimulation. Therefore the question "who am I?" cannot be simply answered by giving a name or mentioning one's lineage. "Our answer will be the recognition of what is essential for us. Knowing who I am implies that I know where I situate myself. In other words, my identity draws the limits within which I can take a position."[85] "We are 'selves' only because some questions are important to us. What I am as myself, i.e., my identity, is essentially defined by the way things are meaningful for me."[86]

One's identity is inseparable from the definition of what is or is not important. It expresses that part that one chooses to privilege over another. This choice is completely subjective. For instance, a feminist can very well define herself as "first of all a woman" (meaning that sex or gender determine her opinions and behaviors); but other women will not necessarily agree. This way of defining oneself of course shapes the role one decides to play. And, inversely, the role assigned within the family, society, workplace, etc. influences the way one perceives one's identity. That is why the notions of identity and role are linked.

Taylor talks about "strong evaluations" and "constituent goods" or "hypergoods" to name what "matters." "Constituent goods" are different from material goods or from goods that just meet a need because they cannot be assimilated to simple preferences, as they are fundamental to identity: "To formulate a constituent good means to clarify what the good life one chooses really is."[87] "Strong evaluations" are not negotiable and

84. Charles Taylor, *La liberté des modernes* (Paris: PUF, 1997), p. 152.
85. Taylor, *Les sources du moi*, *op. cit.*, p. 46.
86. *Ibid.*, p. 54.
87. *Ibid.*, p. 392.

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cannot be limited to a simple preference or a simple desire. They are not related to well being, but to the core of individuals. They concern what gives a reason to live or die, i.e., they concern values, which are considered *intrinsically* good. Strong evaluations represent moral goals with an intrinsic value.

Because identity implies the recognition of what is important, it has a moral impact. "My identity defines the limits of my moral world. It helps me to determine what is really essential for me and what is less important. I know now what touches me deeply and what is less significant."[88] The word "moral" here refers to values: identity is inseparable from an idea of good. It is a moral concept subjected to the good, because it identifies what has more and what has less value.

Identity seems to be linked to a hermeneutics of the self, to a work of narration destined to produce a "place", a space in time, which gives meaning and forms the condition to appropriate oneself. From a phenomenological point of view, where nothing is ever immediately given, but there is always an intermediate, the object can only proceed from a constituent elaboration, an hermeneutic narration characterized by the affirmation of a point of view, which retrospectively reorganizes events in order to give them meaning. "The story builds narrative identity by building the identity of the narrated story. The identity of the story establishes the identity of the character."[89] To defend one's identity is more than ritually enumerating historic references or events that are supposed to be fundamental, but understands identity as something that remains in the game of differentiations, not as the *same,* but as the *peculiar* way of constantly changing.

So there is no point in choosing the identity *idem* over the identity *ipse*, or vice versa. But we have to grasp their reciprocal relations through an organizing narration, which will acknowledge self-comprehension as well as the comprehension of others. Recreating the conditions under which it becomes possible to produce such a story constitutes the appropriation of one's self. But the latter is never fixed, because collective subjectivation is always the product of a choice rather than an action, and an action rather than a "fact." A people survives thanks to its ability to be narrated, appropriating itself through successive interpretations, becoming a subject while narrating itself and avoiding becoming an object in the narration of others. As Philippe Forget writes: "An identity is always a relation to one's

88. Charles Taylor, "Le fondamental dans l'histoire," in Guy Laforest and Philippe de Lara, eds., *Charles Taylor et l'interprétation de l'identité moderne* (Paris: Cerf, 1998), p. 40.

89. Ricoeur, *Soi-même comme un autre*, *op. cit.*, p. 175.

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self, a self-interpretation or an interpretation of others, an interpretation of one's self by others. At the end, it is one's story, elaborated in a dialectic relation with the other that completes human history and transfers a collectivity to history. The narrative act allows personal identity to endure, combining stability and transformation. To exist as a subject is dependent on the narrative action. Personal identity of an individual or of a people is built and maintained by the movement of the story, by the dynamism of the intrigue, which grounds the narration as Ricoeur states."[90]

7

Identity is problematic in many ways. As a rule, consciousness of identity implies a natural preference for those who are members of the same group. This preference is at the roots of friendship as Aristotle defines it, and which has been criticized early on by Lactance and Saint Augustine, who believe that any preference towards some creatures, equal in God's eyes, is an impious discrimination. ("Why do you select people?" Lactance reproaches Cicero, who wrote a treatise on friendship.) Sociobiology explains that preference by citing genetic closeness (*kin selection*). Nevertheless, identity and belonging to a group are not synonymous. The former cannot be reduced to the latter, and, mainly, conflicts can arise from the fact that one always belongs to multiple groups.

Choices concerning group connections are similar to moral dilemmas: they appear when two or more of the components of one's identity contradict themselves. The accusation of "double allegiance" is well known, but it is in fact rather common. In the event of a conflict, which identity components is privileged? The question also arises about different levels of connection: is one first of all a Briton, a Frenchman or a European? This could engender a moral conflict: if one is French and Christian, but the law contradicts one's beliefs of "natural law," should one abide by the French law because of civic duty, or obey one's conscience and assert one's beliefs? Connections to family, nation, ideological, political or religious group do not necessarily mean that a solution of continuity cannot exist. The question that comes up then is always the same: what part of identity does one consider to be the most determining?

The same problem arises when thinking in terms of "proximity." The most common dilemma is the one opposing "natural," inherited proximity (family, people, ethnic group, nation, etc.) to chosen "ideological"

90. Philippe Forget, "Phénoménologie de la menace. Sujet, narration, stratégie," in *Krisis* (April 1992), pp. 6-7.

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(intellectual, political, philosophical, religious) proximity. If one is Italian (or German) and Christian, does he feel "closer" to a non-Christian, even an atheist, Italian (or German), or "closer" to an Asian or an African Christian? If one is a Trotskyist woman, does she feel closer to a Trotskyist man, or to a Rightist woman? And what if one is a homosexual, Buddhist Canadian? These combinations go on indefinitely. The answers are of course arbitrary. (A French "sovereignist," hostile to the EU is nevertheless European, as is his fellow-countryman, who sees himself first as a European, but also as a Frenchman). They depend on the group to which one feels most connected and most estranged. Feeling closer to someone with whom one shares beliefs and convictions than to a family member means privileging those relations over the logic of filiation (and by doing so, exposing its limits). This is the kind of choice Jesus makes when he says that his real family are his disciples and those who believe in him (Matthew 12, 46-50).

Conflicts related to connection or "proximity" are not textbook examples. In a lot of concrete cases, people have had to make choices according to the situation. And the decisions they made show that inherited, most "natural" of relationships do not automatically win. The Royalists, who chose exile during the French Revolution, obviously felt closer to English, German or Austrian aristocrats than to their revolutionary compatriots. During the German Occupation, French people, who chose to collaborate with Germany, privileged ideological preferences or political convictions over plain national feeling. The same went for French communists, who envisioned the Soviet Union as the "motherland of workers." The working class, which had favored internationalism before, but supported belligerent patriotism during WWI, is a good example of an opposite type of choice. In any case, all of these choices are followed by subsequent justifying rationalizations. But at the root is always the same question: to whom does one feel "closer"? That proves how subjective the notion of "proximity" is.

Other problems are related to the notion of memory. Identity presupposes memory, which is as much an intellectual faculty as it is a collective exercise: it is not a coincidence if the theme of "duty of remembrance" accompanies the new rising identities. The man or the group who has lost his or its memory cannot apprehend identity in terms of continuity. Memory implies a look back in the past, which in return allows anticipation and a projection into the future. Nobody can survive if there is no clear consciousness that the present is an extension of the past. From that angle, of course, origin becomes especially important, because it represents the

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starting (or arrival) point of memory.

Nevertheless, this memory should be distinguished from the nostalgia for times past, which are necessarily considered to be better or happier times. Christopher Lasch demonstrated very well the difference between this type of nostalgia, which idealizes the past (the further the better) and the memory necessary for identity: "Nostalgic representations of the past conjure times forever gone, and therefore timeless and unchanged. Nostalgia, in the strict sense of the term, never involves memory, because the past it idealizes remains timeless, fixed in its eternal perfection." Memory, on the contrary, "considers the past, the present and the future as a continuum. It is less concerned with the loss of the past than it is with our permanent debt toward the past; our speaking habits, our moves, our conception of honor, our expectations, our fundamental disposition towards the world around us are reminders of its formative influence."[91]

From an identity point of view, history is an argument of continuity, whereas memory can be defined as the inscription of identity in time. History grounds the identity of social actors by providing knowledge about the inherited forms of their own sociability. It allows them to recognize themselves in the past and to project themselves in the future. Therefore, the way one looks at history can never be neutral, because it provides the symbolic representations of one's identity, which defines individuals as social subjects and as free actors. Identity is a story in itself: it is the story of the specific transformations of one's identity. As Lamizet writes: "Writing and reading history are ways to root in the past one's identity, which is fundamental to the sociability in cultural and political practices. History represents a pile of representations of identity of past times and past protagonists. At the same time, by attributing meaning to the process that forms the political and social structures to which one belongs, it gives a symbolic meaning to one's identity. Herein lies the political dimension of history: in the diffusion of the forms of identity, which give social relations the consistency to allow recognition."[92]

Hannah Arendt wrote that "if the past is transmitted as tradition, it has authority. If authority has historic credibility, it becomes tradition."[93] Nevertheless, tradition is not an inalterable instance, which would inspire and go through diverse historic manifestations without being affected by

91. Christopher Lasch, *The True and Only Heaven* (New York: W.W. Norton, 1991).
92. Lamizet, *Politique et identité*, *op. cit.*, p. 75.
93. Hannah Arendt, "Walter Benjamin," in *Vies politiques* (Paris: Gallimard-Tel, 1986), p. 291.

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them. Tradition also has a history.

The call for memory (e.g., recalling, preserving the memory, keeping the memory, etc.) is ambiguous. First, memory could be abusive, e.g., when it overtakes history as historians study it. Ricoeur talks about "those abuses of memory, which can turn into commemorations imposed by the political power or by pressure groups."[94] Memory is abusive when it becomes militant and pretends to chronicle historical truth more accurately than history itself, while it is merely the subjective reconstruction of common memories.

Memory can also inhibit identity if it carries too many contradictory elements. It risks burdening itself with too many varied and contradictory things that, far from building an identity, will make it less transparent. The legacy becomes then a meaningless, *neutral* legacy, which could no longer be a guide. But it is precisely because memory tends to avoid such overburden that it is first of all selective, and therefore arbitrary. Memory — and this is its main characteristic as well as its intrinsic limitation — only reflects what narration chooses to remember, the episodes it subjectively believes are the most essential or the more fundamental. Here again is the dialectic of objective versus subjective identity. Approaching history in terms of "memory" is necessarily subjective.

Memory is never complete. It filters, it selects, it chooses what deserves to be remembered and transmitted. It remembers and forgets, transmits and occults. Tradition works the same way. "It makes the distinction between positive and negative, between orthodoxy and heresy, between what is important and demanding in the mass of opinions and what is worthless or simply interesting data."[95] That is exactly what Charles Maurras meant when he wrote that "real tradition is critical, and without those distinctions, the past is useless. In every tradition as well as in every legacy, a reasonable being does and has to eliminate the failures."[96] Tradition sorts out legacy. But what criteria apply and who decides what is positive or negative? Once more, it is the subjective will of the narrator, whose criteria of appreciation obviously predate his view of history. Maurice Barrès' case is an example: first, because starting with "personality cult," he ends up with nationalism, i.e., the "cult of us," which is nothing other than an extension of the former; second, because this strong adept of determinism of "the soil and the dead" chose to plant

94. Paul Ricoeur, *La mémoire, l'histoire et l'oubli* (Paris: Seuil, 2000), p. 511.
95. Arendt, "Walter Benjamin," *op. cit.*, p. 297.
96. Charles Maurras, *Mes idées politiques* (Lausanne: L'Age d'Homme, 2002).

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his roots in a province, which represented only one part of his background. "I am from Lorraine," he told his friends in France. It was true, but only on his mother's side. On his father's side, he came from a long line of people of the Auvergne. His "determinism" is not exempted of a subjective choice, which means that it does not completely determine.

Only a few people were brave enough to claim their entire national legacy, as did Péguy. For some, France is the "eldest daughter of the Church": Clovis, Joan of Arc and Charles Martel are its symbols. For others, France is the country of human rights, of popular revolts, revolutions and working class emancipation. For Christians, European history really begins with Christianity. For pagans, Christianity is nothing else than an ideological superstructure and the Middle Ages have only been Christian in name. But history is an entity, and memory screens it and retains what conforms to its idea of the past and to the image it wants to give in order to give it a *meaning*. Then, it justifies its choices, as did the 1793 revolutionaries, who denounced aristocrats as representatives of the "foreign party" or, as the extreme Right does, who calls "anti-France" the part of history with which it decided not to identify. Of course, those justifications are only a pretense of reality. Memory's selection process of history — be it real, idealized or imagined history — only unveils preferences. From the viewpoint of identity, invoking the past does not mean accepting it as it really was, but as Benjamin argued in his thesis on history, it means "controlling a memory, which comes up at a time of danger."[97]

The quest for origins brings up the same inevitable subjectivity. The search and designation of the "great ancestors" is partly an arbitrary process and partly progressive construction. Montesquieu, following Boulainvilliers talked about "our fathers the Teutons." Augustin Thierry, following Father Dubos countered that the French come from "our ancestors the Gauls." Others prefer referring to Rome (or Jerusalem). Europe could even be presented as a descendant of Greece (and it would not be wrong). But what kind of Greece? Homer's, Plato's, Pericles' or Socrates'? Who can say which Greece is the most "Greek"? (Flemish painting is very different from Italian painting. But Rembrandt and Rubens are also very different. Which one of the two is the "most Flemish" and why?) The values described in the *Iliad* are different from those in the *Odyssey*. Why not go back further, beyond the Greeks, all the way

97. Walter Benjamin, "Sur le concept d'histoire," in *Les temps modernes* (October 1947). The thesis closes with the phrase: "If the enemy is victorious, he would threaten the dead as well. This enemy will not stop winning."

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back to the Indo-Europeans, which would also be perfectly legitimate? If origin is essential, if ancestry provides information about ourselves, then, it is important also to find out about the origins of the Indo-Europeans, whose ancestors, by definition, could not have been Indo-Europeans. Why not go back to the first African Hominoidaes, to the Australopithecus, to the common ancestor of the first primates?

Finally, origin and history can contradict each other, even though they are both very strong sources of identity. Europe, through the course of history, departed from many of its original basic values. In some respects, all of European history can be translated into the history of this distance, which led from institutional holism to modern individualism. But, if this is true, then Europe has constantly betrayed itself. From this perspective, resorting to fundamental values means reducing identity to origin and opposing origin to history. The separation of origin and history inevitably forces (if identity is rooted in origin) a definition of history as the opposite of that identity or the entire identity as opposite to history.[98] Nevertheless, human existence can only be historic. How could one state that Europe's identity has nothing to do with its history? One could, of course, state that Europeans have always been "what they never ceased to be," but that they forgot (or were made to forget). The "European spirit" is then supposed to rest in the unconscious, in a kind of underground, and the job would be to bring it up to the level of consciousness. That is a dualistic vision, at the same time a voluntarist and optimistic one, which goes back to Plato: "the true real" is hidden: it is what one does not see, but what one postulates, contradicting immediate perception. That is easy reassurance. Karl Marx was more realistic when he said that "the way individuals reveal their lives reflects exactly who they are."[99] Nonetheless, reorientation is always possible. Not returning to the sources, but resorting to the sources, which is completely different. Peter Sloterdijk wrote that to recognize European identity "the question should be not "who, and according to which criteria and traditions, belongs to a 'true' Europe?" but "what scenes do they play during decisive historic moments?"[100]

98. It becomes even more complicated when taking into consideration that some of the founding values, which Europe abandoned, are still living in other cultures that question Western modernity today.

99. Karl Marx, *L'idéologie allemande* (Paris: Editions Sociales, 1968), p. 45.

100. Peter Sloterdijk, *Si l'Europe s'éveille. Réflexions sur le programme d'une puissance mondiale à la fin de l'ère de son absence politique* (Paris: Mille et une nuits, 2003), p. 51. "To be a European today, in the ambitious sense, means to conceive of the revision of the principle of Empire as the highest mission of both theory and practice" (p. 74).

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8

As any other notion of reality, identity is susceptible to pathological deformations or modifications. The quest for identity frequently results in such pathologies, when it is denied recognition. Those who refuse to acknowledge this quest justify their behavior by the aggressivity it manifests, by the exclusivism it adopts. Such statements are based on pathological cases, stigmatized in an instrumental fashion, in order to discredit the very concept of identity.[101] The two extremes confront each other in a vicious circle.

The most popular form of pathology of identity is essentialism. Instead of considering identity as a substantial reality, which derives from a permanent narrative of the self, it is conceptualized as an intangible essence. Identity is therefore defined as an attribute which never changes, as that which is shared by all members of the group. The individual becomes only a "type," representative of the supposed traits of the group. The subjective part of identity is reified, transformed into objective identity. The difference is posited as absolute self-sufficiency and determination, in the very same way in which identity opponents present it; the only difference is that they are quite content with this determinism, condemned by others as eminently "carceral." Simultaneously, the universal — often wrongly assimilated with universalism — has been renounced, without realizing that one of the functions of the particular is precisely to attain the universal starting from its particularity; that means that the universal does not have a proper content to itself, and, hence, it could only exist through the particular.[102]

While identity is normally what allows for exchange and dialogue, in that case it only allows for exclusion. The natural preference is transformed into exclusivism, real differences are transposed into absolute divides, into infranchisable frontiers. Thus occurs the rupture with traditional cosmic or pagan thought, creating irreparable fractures in a universe which can no longer be perceived as unitary or organic, and where everything is interconnected and holds together. The identitarian revendication becomes a pretext to legitimize ignorance, exclusion or oppression. It allows, in an obsidional perspective, to instrumentalize the fear of

101. Cf. Brian M. Barry, *Culture and Equality. An Egalitarian Critique of Multiculturalism* (Cambridge: Harvard University Press, 2001), who splits multiculturalism in the name of egalitarianism. Cf. also Eric Dupin, *L'hystérie identitaire* (Paris: Cherche-Midi, 2004).

102. On this issue, see Ernesto Laclau, *La guerre des identités. Grammaire de l'émancipation* (Paris: La Découverte, 2000).

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others' differences. Essentialism obeys the logic of the "positive ghetto," the ghetto where one isolates oneself in order not to have to know others — the only appropriate norms are those of the tribe, as Péguy mockingly affirmed. This is called an "identitarian withdrawal."

In this perspective, the distinction between "us" and "the others," which lies in the foundation of all collective identity, is initially posited in terms of inequality or hostility. Identities are set in an atemporal ideal prototype, barring all exchange instead of promoting it. Difference is absolutized in such a way that dialogue between those who are different is devalorized or presumed impossible. The races and the people are treated as distinct quasi-species, which have nothing in common. To defend identity means to necessarily ignore or despise others: a European, for example, would betray his identity by liking Arab poetry, Japanese theater or African music! That means to deify oneself, to attribute to oneself all the merits, to claim to always be right, to pretend not to owe anything to anyone, to position oneself above all others in a worldview ("us vs. the others") which could only be extremely competitive (classic liberalism) or conflictual (social Darwinism).

This idea is expressed in the perspective of zero gain: what one possesses can only be possessed at the expense of others. Then, we will be us even more, if the others will be less themselves. Our identity is threatened by the identity of the others. It could only affirm itself by eradicating others' identity. Overvalorization on the one hand, devalorization on the other: "between us" becomes the place of the norm and of good, while the external world becomes the place of threat and of evil. Such vision results in the elimination of the third: "Whoever is not with us is against us."

What Edouard Glissant called the "sacred intolerance of the roots" leads paradoxically to the subjugation of difference to the cult of sameness. Faced with the "globalizing" homogenization, one could only oppose the desire for homogeneity to a lesser degree, just like the independent and separatist movements only criticized the Jacobin state in order to defend the right to establish a micro-state, which would still be the same. The narcissism of the group members is reinforced by the integration of ideals, attributed to the entity in which they recognize themselves. This narcissistic satisfaction allows everyone, including the most mediocre members, to identify themselves with the highest realizations (real or idealized) of their community. This is what Georges Devereux calls "supporting identity."

Biological identities, considered to be unchangeable, are frequently

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put to the service of ethnocentrism, racism and xenophobia. However, the biological criteria of belonging (to a race, to a species) only have a relative value. Of course they do play a role, but they do not bring out anything specifically human, because human beings have no specific essence outside of their socio-historical existence. Such criteria do not allow to discriminate between friend and enemy in politics, or to determine what notion of the common good should prevail. They also fail to explain rapid political and social evolutions which occur within a homogeneous population. To reduce the definition of who is "like me" to that means to hold on to all other forms of belonging, inherited or chosen. Add to this the fantasms of purity and impurity, the phobia for mixing (all of them rooted in the Bible), which are often used in the perspective of inevitable declines, of an imminent disaster, of the conjunction of future catastrophes: this is nothing other than a reversed ideology of progress: the inevitable only changes direction.

It is true that cultures form distinct worlds, but these worlds can still communicate among themselves. These are not different species. Because they incarnate in their variations the essence of human nature, their representatives can seek to understand and accept each other without renouncing each other. (If cultures constituted separate universes, how would globalization be possible? How could one culture convert to a religion which appeared in the center of another? How could researchers from one culture become specialists in another?)

Rousseau had already warned that identity might degenerate into self-love. Essentialism is clearly rooted in the metaphysics of subjectivity. Essentialism insists on the collective "we" with the same self-centeredness which liberalism attributes to the individual "I." This self-centeredness goes together with a self-valorization which encourages the devalorization of the other. Belonging thus ends up confused with truth, which means that there is no truth anymore. Essentialism applies to the group the same liberal principle which legitimates egoism and interest, and makes them triumph. For liberalism, individual egoism is desirable and legitimate; for racism, group egoism is such as well. Groups then are attributed the same characteristics of self-sufficience that liberalism imposes on the individual as a self-sufficient monad. (But, on a brighter note, if I have to sacrifice everything for whoever resembles me most, I should concede everything to myself).

Essentialism is a return to Descartes' ontological solitude, with a transfer from the *I* to the *we*. Confusion of the political fact and subjectivity is

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shaped as a denial of the mirror and a dynamic of exclusion, in the utterly empty hope to guarantee the uniqueness and the purity of belonging. Such an attitude leads to a rejection of all political dialectic of identity. "Political identitarian integrationism consists in no longer founding involvement on a hazardous dialectic between one relation to another but on the quest for an impossible political ideal based on what could be called a *political sociability of the same*."[103]

There is no doubt that the presence of a designated enemy totalizes the group against the threat, and manages to give it a social identity. This identity remains negative: the identity of that which opposes X is nothing other than the non-X. In certain discourses on immigration, for instance, it is easy to hear the complaints of a culture which has *already* lost its identity and goes berserk when confronted brutally with another still living culture. This complaint does not express identity, it only shows the loss. The reproach to immigrants is that they have their identity, still, while we have none. No longer sure of who I am, I forcefully emphasize what I am not or what I do not want to be.

The pathologies of identity, unfortunately, have a bright future in today's world. Globalization makes identitarian paroxystic claims, which are reactions to the threat of global uniformization. Homogenization of the world and an ethnocentric withdrawal go hand in hand. They are interdependent. Postmodern communities can rarely lean on traditions. Traditions resurge as artificially reanimated forms, postulated in the hope to normalize behaviors. As Zygmunt Bauman observes, "Communities, unlike modern nations rooted in coercive and education institutions of the nation-state, cannot be based on anything other than reproduction of our individual loyalties, their existence requires an emotional devotion higher than usual, as well as strident, sharp and spectacular declarations of faith."[104] Identity is in fact a matter of non-negotiable values, and therefore of passions.[105] The problem with postmodern identities is that, given their subjective character and the disintegration of the social field, they can only

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103. Lamizet, *Politique et identité*, *op. cit.*, p. 323.

104. Bauman, *La vie en miettes*, *op. cit.*, p. 374. Cf. also Francis Arzalier, *Mondialisation et identités. Le paradoxe meurtrier du XXIe siècle. De la Corse à Kaboul, volontés identitaires, dérives et instrumentalisation des identités, 1900-2003* (Paris: Le Temps des cerises, 2004). He shows that globalization, by flattening the differences between people, favors the development of xenophobic particularisms, but concludes that the quest for identity could also be a statement of freedom.

105. Cf. Albert O. Hirschman, *The Passions and the Interests. Political Arguments for Capitalism before its Triumph* (Princeton: Princeton University Press, 1977).

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support themselves by a constantly renewed will and by the involvement of their members. The identitarian affirmation becomes an emotional process, an emphatic proclamation which frequently turns into "identitarian withdrawal." That is why each identity crisis needs a scapegoat.

9

Postmodernity marks the beginning of the moving, the flexible, the fractal, the precarious, the network, the rhizome. "Zapping" has become the emblematic model of the present. It characterizes the affective relations as well as the electoral behaviors, the emotions, the pain and pleasure, the engagements and the affiliations. Postmodern identities are flowing, exploded, and indistinct. Christopher Lasch writes that the meaning of identity "reminds us at the same time of people and of things, and that both have lost their solidity, their firmness and their continuity in the modern world." The world constituted by durable objects has been replaced by "single-use products conceived for immediate obsolescence."[106]

An atomizing and atomized society put into question what guaranteed to social and to affective relations a duration, based on the ephemeral and the fragility, on the anonymity of the masses and on insecurity.[107] All big institutions are in crisis, which means that they no longer constitute the social space. They no longer structure the social link, while the general tendency of statist politics — disguised as privatization and deregulation — is to incite the citizens to find individual solutions to social problems. The parties and the unions no longer confer identity with their few remaining supporters. Work, too, becoming both a precarious activity and a rare commodity, does so less and less. The weakening of religion contributes, too, to the questioning of identity. The result is that there is so much demand for identity that identity becomes problematic.[108] As Bauman wrote, "one thinks of identity every time one is no longer sure where one feels at home. . . . 'Identity' is

106. Christopher Lasch, *The Minimal Self. Psychic Survival in Troubled Times* (London: Pan Books, 1985), pp. 32-34.

107. On the dissolution of the social and the evolution of affective relations, cf. Zygmunt Bauman, *Liquid Love. On the Frailty of Human Bonds* (Cambridge: Polity Press, 2003).

108. Today, one can change one's name, nationality, even sex. Yet, at the same time public authorities try even harder to establish a distinguishing, more precise identity: digital fingerprints, DNA, genetic marks, iris, etc. If identity could be chosen to a greater extent, it is logical that in the eyes of authority "the features of identity are displaced toward a constitutive element over which the freedom of choice cannot be exercised, i.e., the intimate composition of the body." Nicolas Journet, "Liberté, égalité, identité," in *Sciences humaines* (March 2003), p. 49.

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the name given to the search for an exit out of this uncertainty."[109]

As Bauman argues, in modern times, individuals were perceived as producers and soldiers; today they are consumers and players. The only power still working in society, the market, differs from anything ever seen in that it does not favor the formation of fixed identity, but on the contrary, tries to dismantle it. Like God, the market is supposed to have a response to everything. It is presented as omnipotent, but it is omnipotent only to the extent that human matter has lost all its depth. The circulation of commodities requires — besides the growing homogenization of demand — the construction of a floating subject, available for all solicitations, open to all consumption pressures, to all business and communications flux, having lost its spirit and its true personality, i.e., of an individual divested of all symbolic attachments. "Far from resolving the question of the origin, of the foundation, of the beginning, i.e., the very Hegelian question of man's desire for infinity, the Market can only confront each individual with the difficulties (which of course go together with a new *jouissance*) of the self-foundation."[110]

Better yet, man can no longer define himself in a relation to God, to the king, to the republic or to progress. He can only do it in a self-referential way, his identity is no longer the distance between him and an Other, but between him and himself. Self-foundation is permanent, a self-foundation which is confused with an endless quest because it forgets the questions of the beginning and of the end. "A subject deprived of the impossible questions of the beginning and of the end is a subject torn from being, i.e., a subject that is prevented from being such to the fullest."[111] That is why the identitarian quest, exhausting in the proper sense, ends up so often in depression.

In a market society, the individuals search frequently for exchangeable identities in the simulacra of advertising ("brands") or of consumption ("standing"). This phenomenon is particularly pronounced in what Gilles Lipovetsky called the "society of hyperconsumption," a society where the commodification of needs is no longer oriented toward novelties or objects symbolizing social rank but rather toward a new type of relation to things and to oneself. Lipovetsky discusses here very correctly "a consumption of the third kind." Fundamentally oriented toward

109. Bauman, *La vie en miettes*, *op. cit.*, p. 34.

110. Dany-Robert Dufour, *L'art de réduire les têtes. Sur la nouvelle servitude de l'homme libéré à l'ère du capitalisme total* (Paris: Denoël, 2003), p. 99.

111. *Ibid.*, p. 103.

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distractive and "deconflictualized" private motivations, this consumption is characterized by a fetishistic obsession with "brands," by a tendency to infantilism, by its ideal for zero effort, the futile carelessness, by the narcissistic desire not to appear less than the others, by the desire to be "known," by the will to decide for oneself and by oneself (the dream of the perfect body, of eternal youth, of a life conceived as entertainment), all those features also being characteristic of a hyperindividualism, which develops in the center of a universe of flux and networks.

The brand or the logo becomes ever so important because it serves as a criterion for belonging. It connotes an ephemeral identity of replacement. To own an object of a certain brand allows the entry into a club or a "tribe" of owners of the same object. Lipovetsky writes: "The third phase could be understood as the moment when commercialization of lifestyles no longer meets any structural cultural and ideological resistance, where all that could subsist opposition has surrendered to it."[112] He adds: "The fact is there: slowly, the principle of self-service, the ephemerity of connections, the utilitarianist instrumentalization of institutions, the individual cost-benefit analysis, permeate all spheres. Which goes to say that the market, beyond the economic transactions, has become the model and the imaginary behind the ensemble of social relations."[113]

The relation to space, and respectively to territory, has also changed. From the Great Wall of China and the *limes* to the Siegfried and the Maginot lines, the border — i.e., the controlled border, established a separation which allowed a limitation of political and juridical powers and guaranteed to the populations security and the possibility to evolve according to their own rhythme. Territory was then the most desired resource, and wars aimed at conquering new territories. Public authority was also territorial, the sign of its power residing in the capacity to control the entries and the exits. To cross a border meant to leave or to come "home." This protective capacity of space has disappeared today.

Globalization leads to a generalized deterritorialization of problematics (financial, economic, technological, ecological etc). These are deployed on a global scale, and the borders, having become permeable if they still exist at all, no longer stop anything, which means that they no longer guarantee anything, and certainly not identity. This is why the risks are diffused all around the world and become uncontrollable, but this is

112. Gilles Lipovetsky, "La société d'hyperconsommation," in *Le débat* (March-April 2003), pp. 92-93.

113. *Ibid.*, p. 95.

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also why living within recognized borders no longer guarantees the benefits of a specific lifestyle. Cultural, communication, ideological or other influences play borders that they cross or fly over more than draw.

In addition, power too has become extraterritorial. This is the case with the international or transnational institutions more than with national governments, and it is mobility, rather than rootedness, that represents the decisive strategic factor. As Bauman put it, "In the new global hierarchy, those rule who are least dependent on space, who are less attached to a place and more free to displace (themselves) and to move. In the 'flux space' where global powers function, what matters is speed of movement and ability to disengage and escape, and not the territorial possessions. Territorial attachments slow the movement or exclude the very possibility, they are no longer assets but a liability and a handicap."[114] The economy was the first to give the example of "delocalization." Politics, to the extent that it still has a true decision-making power, no longer belongs to the "space of places," but to that of flux.

The relation between identity and territory disappears. In the past, identity had a territorial basis. Nonetheless, even then identity and territory did not always go hand in hand. The Jewish people maintained its identity better than many, although it did not have a proper territory for a big part of its history. The reason is obvious: its referential values, and most of all its orthopraxis, allowed it to preserve itself as a people. It is necessary, therefore, to get used to thinking about identity not necessarily or only in terms of its territorial basis.

Nonetheless, besides suppressing space, globalization transforms and redistributes it. It substitutes territory with *place* — that place which makes a connection, as Maffesoli put it. The sclerosis or the crash of national discourses reminds also of the importance of the multiplicity of regional discourses and local loyalties. Hence the importance of the "local" or localism, which, in opposition to the global, seems to offer better guarantees for the preservation of identities. As Bauman put it, "the spacialization and the production of identity are two faces of the same process." This is precisely what the ancients called *genus loci* and what Heidegger renamed *Er-örterung*, i.e., assignment of place/site: "What we call a site is that which gathers in itself the essentials of a given thing."[115]

Modernity was a postfeudality; postmodernity certainly marks a return to an anterior period, but does not reconstitute it identically. This return is

114. Bauman, *La vie en miettes*, *op. cit.*
115. Martin Heidegger, *Le principe de raison* (Paris: Gallimard, 1962), p. 145.

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clearly noticeable in the reappearance of the same communities which modernity tried by all means to dissolve. Bauman writes: "A lot of hopes voided by bankruptcies or delegitimation of institutions now fall on the communities. Today we celebrate as a 'capacity for habilitation' what we denounced once as obstacles. What was once perceived as an obstacle to the way of humanity is seen now as a necessary condition."[116] But this return cannot abstract the modern elements, and this is why postmodern communities are necessarily different from premodern communities. In turn, identity often takes a communial form, if not fusional. As Maffesoli wrote: "The loss of one's own body in the collective body, either metaphorically or *stricto sensu*, seems to be the characteristic of a sensitive or affective community which derives from a purely utilitarian 'society.'"[117]

10

The key elements of collective identity remain today in language, culture in the large sense (system of values, lifestyle, ways of thinking), often (but not always) in territory, the conscience of belonging, and the desire to live together. Language established the community of language, but also the capacity to exchange and to dialogue. Allowing me to construct my own identity in relation to the other, it is by definition dialogical. Charles Taylor writes: "In principle, language is fashioned and develops not in the monologue but in the dialogue, or better yet, in the life of a community of discourse."[118] Certainly, language is not an absolute marker of identity (there is no need to speak a European language in order to be European, and in the beginning of 19th century half of the French did not speak French). It has even happened that a people lost its language without losing its identity (e.g., the Irish and the Hebrew). Nevertheless, language has functioned as a major sign of recognition. In providing a tool for mutual understanding, it has created a connection from the outset.

Language sets thinking into specific categories. Far from being simply a means of communication, language is a vehicle of the sense of things, and as such it allows the construction of a reflexive consciousness. Heidegger would say that it gives the possibility of the unfolding of being. Language opens up a world which is the place of our evaluations, of our emotions and our relations. Better yet, the shared values are hardly comprehensible without the linguistic context which constitutes them. Different

116. Bauman, *La vie en miettes*, *op. cit.*, pp. 372-373.

117. Michel Maffesoli, *Notes sur la postmodernité* (Paris: Félin-Institut du monde arabe, 2003), p. 50.

118. Taylor, *La liberté des modernes*, *op. cit.*, p. 47.

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languages reflect different worldviews, and different modes of being. As Herder put it: "A people cannot have an idea for which it has no word."[119]

After language come the mores and the customs. Lamizet wrote that "what specifies our identity is the cultural and symbolic practices in which we invest our symbolic activity. These are our social uses which characterize our usage of the public space and which, in this manner, establish that part of our sociability, which is subject of interpretation and recognition by others. Our cultural and symbolic practices make us exist in a public space in the eyes of others, and, thus, construct our identity."[120] The problem today is that cultural and symbolic practices are largely laminated by homogenization of mores. Homogenization is largely consented to: how many of those who claim to want to defend their identity have a really different lifestyle from the others in the developed world? (The Germans have been trying for centuries to answer the question of what it means to be a German. Who would dare today to define what it means to be French, Italian, Spanish or Flemish?)

In traditional societies, "the symbolic rules in an explicitly organizational manner."[121] This conclusion is directly related to the question of identity, since identity is fundamentally symbolic. Precisely because it is above all symbolic, it is the first to fall victim to commodity desymbolization.

With total capitalism, all objects are reduced to their commodity value, everything becomes part of the order of pure commodities, with the latter becoming the order of ultimate reality. All that which does not have an equivalent, and more precisely, a monetary equivalent, is devalorized. The individual's statute of producer-consumer is the only one truly recognized in market society, while the state is simultaneously transformed into a welfare center (and the family — a caterer of goods and products predetermined by media). Market society aims before all to accelerate the circulation of things. To facilitate it, it must remove from exchange all characteristics which are not included in the commodity value. Men then have to be deprived of their symbolic weight: what circulates must not be vested in symbolic values, identity being the first to go. Thus, the exchange is directly opposed to the gift, which still contains a part of the incommensurable, and invaluable.[122] As Taylor noted, "the demands to

119. Johann Gottfried von Herder, *Idées pour la philosophie de l'histoire de l'humanité* (Paris: Aubier, 1962), p. 149.

120. Lamizet, *Politique et identité*, *op. cit.*, p. 6.

121. Gauchet, *La démocratie contre elle-même*, *op. cit.*

122. Cf. Michel Hénaff, *Le prix de la vérité. Le don, l'argent, la philosophie* (Paris: Seuil, 2002), pp. 176-189.

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survival in a capitalist (or technological) society are supposed to dictate a model of behavior purely instrumental which inevitably leads to the destruction or the marginalization of the ends which possess an intrinsic value."[123] The logic of capital is nihilistic in that it eradicates the symbolic, and achieves the disenchantment of the world, reaching thus the negation of all horizons.

In his essay on the "new servitude of liberated man," Dany-Robert Dufour describes very well the process by which the market eliminates all sorts of exchange depending on a symbolic, social or metasocial guarantor, in order to only allow the exchange whose worth is only determined by its relation to the commodity: "In a general manner, all transcendental figures which founded value are recused, there are only commodities which exchange at their market value. Men today are implored to rid themselves of all symbolic overloads, which guarantee their exchanges. The symbolic value is thus dismantled in favor of the simple and neutral monetary value of commodities in such a way that nothing else can be an obstacle to its free circulation."[124] Desymbolisation shows how to "rid the concrete exchange from what exceeds it in instituting it: its basis. In fact, human exchange is asserted in a body of rules whose principle is not real, but recalls 'postulated' values. Such values are rooted in a culture (depository of moral principles, of esthetic canons, of models of truth) and as such they could differ, even contradict each other. The 'new spirit of capitalism' pursues an ideal of fluidity, of transparency, of circulation and renewal which cannot accommodate the historical weight of such cultural values. In this sense, the adjective 'liberal' designates the condition of a man 'liberated' from all connections to values. All that is related to the transcendental sphere of principles and ideas, i.e., that which is not convertible into commodities or services, is discredited. The (moral) values do not have a (market) value. That is why their survival is no longer justified in an entirely commodified universe. In addition, they constitute a possibility for resistance to the advertising propaganda which, in order to function at full capacity, requires a spirit free of all cultural baggage. The desymbolisation then has an objective: it wants to eradicate from any exchanges the cultural component, which is always particular."[125]

Market society itself poses a market: drop your identities in exchange for more consumption, drop all symbolic values in order to focus only on

123. Taylor, *Les sources du moi*, *op. cit.*, p. 624.
124. Dufour, *L'art de réduire les têtes*, *op. cit.*, pp. 13-14.
125. *Ibid.*, pp. 238-239.

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market value. "Objectively the market has interest in the flexibility and the destabilization of identities. Today, the dream of the market, in its logic of infinite expansion in the space of commodities, is to be able to furnish all sorts of kits, including identitarian panoplies."[126] With desymbolisation trying to efface any referentials beyond the quantifiable interest and the logic of profit, it is not surprising that identity ends up being mistaken for assets (I am worth what I have, I am what I own). This "radical change in the exchange play results in an anthropological mutation. Since the moment when all symbolic guarantor of exchanges between men is liquidated, the very human changes."[127]

The major source of alienation seems to reside today in commodity fetishism. "The fetishist attributes to the fetish the product of his own activity. Consequently, the fetishist ceases to exercise his own power, the power to determine the form and the content of everyday life; he only uses 'powers' which he attributes to his fetish (the 'power' to buy commodities.)"[128]

Market society has obvious anthropological implications. It modifies the imaginary; it tends to create a new man defined only by his material interests: alienation of being, alienation of desire, alienation of need. Market society alone proposes a caricature of social relations, since it defines the separation from the other as the only true existence. It reifies social relations, i.e., it shapes human relations as relations between human beings and things, or between things alone. This reification is an inseparable part of capitalist logic. From the perspective of the logic of capital, men are only things who produce and consume. They are only related among each other through the exchange of commodities. The function of the logic of capital is to alienate all living creative activity by forcing to produce and reproduce a form of everyday life which corresponds to its proper values. In antiquity, certain characteristics of living beings were attributed to inanimate objects; in the logic of capitalism, living beings are transformed into inanimate objects. It is a vicious circle, because the goal of capital is not fundamentally to satisfy the particularly human needs, but to use these needs (including the ones that it creates) in order to reproduce and extend the empire of capital.

Doctors and psychologists have been studying identity problems for a long time. They deal daily with victims of identity crisis, who complain of

126. *Ibid.*, pp. 217-218.
127. *Ibid.*, pp. 217-218.
128. Fredy Perlman, "La réproduction de la vie quotidienne," in *(Dis)continuité* (July 2001).

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a feeling of emptiness, loss of self-esteem, uncertainty about what really matters. Identity crisis is a form of alienation and disorientation. Loss of identity is a pathology which deprives the individual of his singular identity (his name) and all possible sociability, because the latter always requires a mediation. In that, it is comparable to amnesia, to forgetting, whose essence is to plunge beings and things into indistinction. It is like Nietzsche's "words without voice" (*Thus Spoke Zarathustra*): words without a subject, without identity. It corresponds to the process by which the subject ceases to exist as such and exists only as an object. The loss of identity, both for people and for individuals, is the exit from the symbolic. This exit condemns one to a wandering in the perpetual present, i.e., to an escape forward which no longer has a goal or an end.

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Community and "Communitarism" in France: Republican Perspectives[1]

Pierre-André Taguieff

Because contemporary liberal pluralistic democracies are "open," they have problems dealing with strong minorities, whose members mobilize either against the social system, or against another minority. Conflicts of legitimacy and of interest arise, fed mainly by the inequalities in social mobility or political, economic or media representation between minority groups. Infranational groups within the framework of nation-states compete with one another for access to various goods (e.g., particular rights, statutes, positions of power, etc.), redefining public space as an arena where diverse and contradictory demands and claims meet and clash. The erosion of the nation-state in the context of globalization, combined with the collapse of the welfare state to be replaced by neo-liberal models,[2] favor the emergence of primary identities (among

1. Translated by Julia Kostova and Boris Vuiton. [The French term "*communautarisme*" has been translated as "communitarism," in order to preserve the distinction from the Anglo-Saxon use of "communitarianism," rendered in French as "*communitarisme*."]

2. See Alain Touraine, *Qu'est-ce que la démocratie?* (Paris: Fayard, 1994); Yasemin Nohoglu Soysal, *Limits of Citizenship: Migrants and Postnational Membership in Europe* (Chicago: University of Chicago Press, 1994); James Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity* (Cambridge: Cambridge University Press, 1995); Neil Gilbert, *Welfare Justice: Restoring Social Equity* (New Haven: Yale University Press, 1995); Susan Strange, *The Retreat of the State: The Diffusion of Power in World Economy* (Cambridge: Cambridge University Press, 1996); Saskia Sassen, *Losing Control? Sovereignty in an Age of Globalization* (New York: Columbia University Press, 1996); "Les transformations sociales: sociétés multiculturelles et multi-ethniques," in *Revue internationale des sciences sociales* 156 (June 1998); Manuel Castells, *The Power of Identity*, Vol. 2 (Malden, MA: Blackwell, 1997); Béatrice Hibou, ed., *La Privatisation des États* (Paris: Éditions Karthala, 1999); Mikhaël Elbaz et Denise Helly, eds., *Mondialisation, citoyenneté et multiculturalisme* (Paris: L'Harmattan, 2000).

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which the so-called ethnic identities are most meaningful). These identities question the definition of citizenship and endanger the institutions of representative democracy.

The spectacle is often represented as a "struggle for recognition," allegedly natural and necessary, and the politics praising "multiculturalism" are celebrated as "politics of difference." The recognition of identities and group differences is posited as the principle of multicultural politics, explicitly opposed to liberal universalism, "blind to differences."[3] As a mode of political organization, multiculturalism rests on the principle of the coexistence of recognized ethnic communities, and this recognition implies respect and protection. Multiculturalism is presented then as a multicommunitarism, presupposing the sacralization of certain group identities, e.g., cultural identities. The community is inseparable from identity.

In privileging identitarian claims and particular rights, the multiculturalist or multicommunitarist logic runs the risk of instituting a politics "blinded by differences." The "dangers of communitarism" are identical to the dangers of radical multiculturalism: by isolating the individuals in some sort of particularism, such politics, based on the recognition of cultural identities, threaten individual liberties and tend to undermine the foundations of citizenship.[4] Attributing particular rights to national minorities violates both the principle of the unity of political community and that of the equality of all citizens. Voluminous studies have emphasized the fact that the application of "positive discrimination" ("affirmative action") exacerbates the conflictual fragmentation of civic space.[5] But these negative effects are not inevitable. The recognition of various cultural identities implies conceiving of the social order normatively — not only as a space

3. See Charles Taylor, "The Politics of Recognition," in Amy Gutmann, ed., *Multiculturalism and "The Politics of Recognition"* (Princeton: Princeton University Press, 1992), pp. 25-74. See Paul Ricœur's remarks, *Parcours de la reconnaissance. Trois études* (Paris: Stock, 2004), pp. 310-315.

4. See Dominique Schnapper, in collaboration with Christian Bachelier, *Qu'est-ce que la citoyenneté?* (Paris: Gallimard, 2000), pp. 237-238.

5. See especially Nathan Glazer, *Affirmative Discrimination: Ethnic Inequality and Public Policy* (New York: Basic Books, 1975); Michael Walzer, *Spheres of justice. A Defense of pluralism and equality* (New York: Basic Books, 1983), Ch. 5. For an overview of the relevant theories and debates, see Robert Post and Michael Rogin, eds., *Race and Representation: Affirmative Action* (New York: Zone Books, 1998). For a critique of "affirmative action" as an anti-racist project and anti-discriminatory measures, see Paul M. Sniderman and Edward G. Carmines, *Reaching Beyond Race* (Cambridge: Harvard University Press, 1997), esp. pp. 15-58. See also special sections in *Telos* 86 (Winter 1990-91) and *Telos* 106 (Winter 1996).

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for cohabitation, but also as an ensemble of intercommunity relations. The latter are generally not believed to breed rivalry and conflict; they do so only in certain conditions. The first of these conditions is the feeling of co-belonging to a meta-community, endowed with a meta-identitarian identity: the nation, as the carrier of the so-called civic principle, paradigmatic of modernity.

The denunciation of "communitist features," of "communitarism" and "identitarian conflicts"[6] has become a ritual in France for those who identify with the so-called republican values, or with the principles of "republican universalism." The concerns about rampant "communitarist" attitudes and behavior overshadow the community element as such: the communities become suspects, charged with instigating intolerance or resisting all forms of "modernization" (another word for "progress"). If "*communitarism*" *really exists and is truly dangerous for the civil peace* and/or for the smooth functioning of pluralist democracies, then it must be restricted to the potential "good uses" of "communities."[7] Recently, the situation became even more complicated as the war waged by the liberal-democratic West (perceived as Judeo-Christian) against radical Islamists aggravated intercommunity tensions. International Islamic terrorist networks seek to establish "sleeper cells" in countries they consider enemies (but also in territories they plan to conquer) by recruiting from certain Muslim milieus, dominated by fundamentalists. By positing as ideology the expression of resentment typical of immigrant or first generation populations in Western countries, the Islamic (Wahhabit-Salafist) propaganda and indoctrination intensify the negative passions of minorities and redirect them against the host societies — e.g., their founding political principles, their values, their predominant beliefs — preventing altogether the cultural/social integration and the practical application of peaceful multicultural politics.[8] In Britain, e.g., the multi-communitarist system has favored the rapid growth of Islamic terrorist networks, enlarging the gap between increasingly isolated and resentful "minorities." From there ensues a critical re-examination of

6. See Éric Dupin, *L'Hystérie identitaire* (Paris: Le Cherche Midi, 2004).

7. See UEJF, eds., *Les Enfants de la République. Y a-t-il un bon usage des communautés?* (Paris: Éditions de La Martinière, 2004).

8. For an overview of the troubling state of the French school system, see Emmanuel Brenner, ed., *Les Territoires perdus de la République. Antisémitisme, racisme et sexisme en milieu scolaire* (Paris: Mille et une nuits, 2002).

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multiculturalism[9] and the angelic pre-9/11 illusions.[10] Trevor Phillips, one of the most passionate partisans of the "multicultural society" in Britain, head of the Commission for Racial Equality, recently pinpointed multiculturalism as the obstacle to immigrant integration, but also as a disguise for the involvement of certain Muslim milieus in Islamic terrorism.[11]

In Canada,[12] yet another field for experimenting with multicultural

9. In the 1990s, numerous works dealt with the "ethnic rage" and the tyranny of minorities, inspired by multiculturalist politics (e.g., affirmative action, or positive discrimination, or the political correctness, intended to correct the white Western ethnocentrism). The critique of multiculturalism aimed at the process of ethnicization or of racialization of the social relations in the name of recognition and/or respect for "cultural diversity." The result was a post-ethnic America "reinventing a civil nation through multiple allegiances." See Sophie Body-Gendrot, "Quarante ans de multiculturalisme aux États-Unis," in *États-Unis: peuple et culture*, ed. by John Atherton *et al.* (Paris: La Découverte, 2004), p. 142. See David A. Hollinger, *Postethnic America: Beyond Multiculturalism* (New York: Basic Books, 1995). See also Daniel Sabbagh, *L'Égalité par le droit. Les paradoxes de la discrimination positive aux États-Unis* (Paris: Éditions Economica, 2003), pp. 382-398. See also David A. Hollinger, "Choix ou assignation d'identité?" in Nadia Tazi, ed., *L'Identité* (Paris: La Découverte, 2004): "The frustrations created by monolithic and closed identities, defined by the skin color, have been more often expressed in public places, such as the universities. . . . No one knows for sure if the preeminence of national identity would impose itself again, as it did in the 1950s. But now, in the beginning of the 21st century, national solidarity is more largely claimed than since the 1960s." In his controversial 1994 essay, *Selling Illusions: The Cult of Multiculturalism in Canada* (Toronto: Penguin Books, 1994), the Canadian writer Neil Bissoondath criticizes mercilessly multiculturalism as an ideology and as an institutional function, insisting particularly on the "trap of ethnicity." He blames the proponents of multiculturalism for inciting certain ethnic groups with sentiments of vengeance or envy, for rejoicing in stereotypes while running the risk of trivializing racism, for accentuating the differences between the groups, instead of reducing them, thus creating profound divisions between "communities," for locking up the individual in his ethnicity at the expense of his humanity.

10. It is hard to imagine someone like Nathan Glazer, for example, publish in 2004 in the US something similar to his 1997 *We Are All Multiculturalists Now* (Cambridge: Harvard University Press, 1997).

11. See Tom Baldwin and Gabriel Rozenberg, "Britain must scrap multiculturalism," in *The Times* (April 2, 2004). Phillips, a journalist of West Indian descent, who deplores the fact that multiculturalism encourages "separateness" among communities, insists on the urgency to define and illustrate politically a "core of Britishness": no integration without interiorizing common values, which are inseparable from the national patriotic feeling.

12. Multiculturalism was adopted as a Federal government policy in 1971, opening the endless debate on the question of recognition of the plurality of cultures in Canada and Quebec. See Gilles Bourque and Jules Duchastel, *L'Identité fragmentée* (Montréal: Fides, 1996); Gilles Bourque and Jules Duchastel, "Multiculturalisme, pluralisme et communauté politique: le Canada et le Québec," in Elbaz and Helly, eds., *Mondialisation, citoyenneté et multiculturalisme*, *op. cit.*, pp. 147-169; Charles Taylor, *Rapprocher les solitudes. Écrits sur le fédéralisme et le nationalisme au Canada*, collected by Guy Laforest (Sainte-Foy: Les Presses de l'Université Laval, 1992). Taylor's reflections focus on the question whether Canada should be defined as a multinational federation or as a bilingual and multicultural nation-state.

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politics, numerous are the citizens who, since the end of 2003, have questioned the system, designed to protect minorities and cultural identities in the framework of a war against the West, led by Al Qaeda and associates, members, accomplices or sympathizers from Muslim communities in most Western countries. A full-fledged debate unravelled in Canada when it became public that a Toronto-based Muslim family of Egyptian descent and Canadian citizenship got involved in pro-Bin Laden activities. Directly linked to Al Qaeda and without hiding it, the Khadrs all engaged in radical Islamism in different manners: the father, Ahmed Said Khadr was killed in a clash with the Pakistani army in October, 2003 at the Afghani border; one of the sons, Omar, is detained in Guantanamo (as of Spring, 2004); another son, Abdurahman, too, is in Guantanamo after having trained in Al Qaeda camps between 1992 and 2003; the youngest son, Abdullah, expressing the respect of the whole family for Bin Laden, said on Radio-Canada: "This is a man who never jokes, he is very reserved, very polite, a true saint. I consider him to be a very peaceful being." As far as the widow of Ahmed Said Khadr is concerned, since her return to Toronto in the beginning of April 2004, she did not hesitate to publicly declare (again on Radio-Canada) that she was proud that her husband had died as a "martyr," adding: "I would rather see his kids train in Al Qaeda camps than grow up in Canada, and see them, at the age of twelve or thirteen, take drugs or have homosexual relations."[13] This dilemma functions as a sophistic argument often solicited by Islamic predators or defenders of Islamic "communitarism" in Western democracies: "Islam or delinquency," where Islam covers various forms of Islamism. But this deceitful alternative should not be confused with recognition, since it is common sense that "community organization could mitigate the shock of uprootedness for the immigrant, and could mediate with global society."[14] Community solidarity could be instrumental in social integration, as it is limited to one phase of the trajectory of an individual of foreign origin.

13. See Séverine Biderman, "Les Canadiens commencent à se demander s'ils ne doivent pas repenser la notion de tolérance" (April 30, 2004), http://www.proche-orient.info.

14. Norbert Rouland, "Multiculturelle: enquête sur la République," in *Libération* (Oct. 21, 1996), p. 5. The legal scholar, author of *L'État français et le pluralisme* [(Paris: Odile Jacob, 1995)], adds the debatable comment that: "The isolated individual (which is partly the case of the young immigrants from Arab descent in the disadvantaged suburbs) could become an easy prey to extremist movements." The validity of this suggestion is questionable because extremist movements might also use communitarist groups for indoctrination and recruitment.

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So this critical study maintains a double thesis: the community is not "communitarism," and a republican conception of representative democracy does not at all imply the eradication of "communities." The word "communitarism" is used too often, in French political discourse, as merely a synonym for "lobby" or "interest group"[15] — sociological categories, which have been the object of conceptual elaboration for the social sciences. It is also used as an imprecise equivalent for such terms as "tribalism" or "neo-tribalism," "ethnism" or "exclusivism," in fact, even "racism" — terms more or less rigorously defined, that suggest the behavior and attitudes of groups which, by essentializing their respective identities, exclude and stigmatize in various manners other groups, treated as foreign or enemies. Hence, each group, which is at the same time absolutely non-inclusive and intrinsically exclusive, could be qualified as "communitarist."[16] It is a matter of definitions, all of which are open-ended. But too much lexical freedom kills the freedom to define.

It is urgent, in France in particular, to transform the polemic and polyvalent term of "communitarism" into a descriptive category, not less than into a conceptual term, able to function as a model of intelligibility or an instrument of critical thought. Then, it is a question of clarifying the confusion and its reasons, and of contributing to a conceptual reconstruction. For "communitarism" is a wrong but clear idea. This "-ism" does not fit in the current denominations of great ideologies (liberalism, socialism, nationalism, etc.). It is not a classificatory term, nor one, whose meaning is clear. That is why it is appropriate to examine the invocations, the contexts of application and ideological uses. In fact, the critical task is, first and foremost, to "deconstruct" the terms "communitarist" and "communitarism." Such analysis requires that the perspective taken be exposed from the beginning. It is a "republican" perspective, carrying the inevitable ambiguity of the term, which invokes, on one hand, the republican tradition of Roman origin, founded on the conception of freedom as non-domination,[17] and, on the other, the republican tradition *à la française*. This perspective favors the pairing of freedom and equality of the citizen, in regard to the principle of sovereignty of the people. Another underlying supposition is that "one

15. See Mancur Olson, *The Logic of Collective Action* (Cambridge: Harvard University Press, 1965).

16. On "exclusive" et "inclusive" groups, see *ibid.*

17. See Philip Pettit, *Republicanism: A Theory of Freedom and Government* (New York: Oxford University Press, 1997).

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can only be free in a free State,"[18] and that there is no republic without republicans, which translates into engaging the citizens[19] according to the norms of civic humanism.[20] Republicanism may marry political liberalism (and it should), but it could also succumb to the populist temptation.[21] Populist elements are inherent to modern democratic systems, which tend to absolutize "the people" and to succumb to the tyranny of the majority. James Madison noted in the *Federalist Papers* that "the danger of oppression in a democracy comes before all from the community that the majority forms," and Tocqueville warned against "majoritarian tyranny": "The very essence of the democratic government consists in the absolute sovereignty of the majority."[22] The populist temptation nonetheless shows that the "communitarist," or multi-communitarist, threat might be the expression of the tyranny of minorities. The question, then, is whether the recognition of group identities and communities constitutes a condition of impossibility for a free state, as conceived in the republican-liberal tradition.

I. The Term "Communitarism" and its Uses

"Communitarism" is a term, which has functioned for the past fifteen years as an operator of delegitimation in the political discourse in France. While the word could have positive connotations, it has been usually used in a pejorative sense. The ambivalence of the word, oscillating between group solidarity (perceived as praiseworthy) and voluntary isolation (usually condemned), is contrasted to the degrading meaning of the term today, which refers to the formation of groups (on the basis of ethnic or ethnonational origin, religion, "minoritarian" language, etc.). These groups strive to obtain a role in the political field, thus assimilating a "communitarist" community with a lobby or a subversive organization,

18. Quentin Skinner, *Liberty before Liberalism* (New York: Cambridge University Press, 1998).

19. See Claude Nicolet, *Histoire, Nation, République* (Paris: Odile Jacob, 2000), pp. 165-249.

20. On republicanism and civic humanism, see Pierre-André Taguieff, *Résister au "bougisme." Démocratie forte contre mondialisation techno-marchande* (Paris: Mille et une nuits, 2001), pp. 145-152.

21. See Pierre-André Taguieff, *L'Illusion populiste. De l'archaïque au médiatique* (Paris: Berg International, 2002); Pierre-André Taguieff, ed., *Le Retour du populisme. Un défi pour les démocraties européennes* (Paris: Universalis, 2004).

22. These passages from Madison and Tocqueville are rightly cited by Fareed Zakaria, *The Future of Freedom. Illiberal Democracy at Home and Abroad* (New York: W.W. Norton, 2003).

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and conspiring against the current republican regime. The distinction between "communitarist" and "communitarian" remains vague: in the face of Muslim militant organizations (e.g., UIOF,[23] close to the Muslim Brotherhood), or new Islamic formations,[24] the most neutral observers study the emergence of a demand for a Muslim communitarist identity in France (the Islamic veil is only one of the signs), while many others reject the forms of "communitarism" in these phenomena, socially visible since the 1989-1990 "*foulard* affairs,"[25] as symptoms of a deep fragmentation or dislocation in republican France. Those who denounce "communitarism" define it as a process of dissociation of the national community, facilitated by the weakened integrating power of the republican model *à la française*, and by the emergence of new ideological entrepreneurs of ethnic, ethno-religious or political-religious identity, in a context where many recent French immigrants remain at the margins of the social system, with their respective projects of "communitarization" in various sectors of the population. After alluding to urban violence and the underground economy of the "hoods," Lucienne Bui Trong, the former director of the department of "Urban Violences," encourages her readers to "remain attentive to what goes on in our unsafe neighborhoods, since they represent the ghettoization and the communitarist withdrawal that are under way."[26] Faced with "communitarism" in France, the elites, who insist on the republican traditions, invoke the American enemies of multiculturalism, like the historian Arthur M. Schlesinger, Jr., who edited *The Disuniting of America: Reflections on a Multicultural Society*.[27] The end of the republican integration in France (i.e., the model of assimilation) occurs in the same way as the American melting-pot, with the disappearance of the "republican synthesis," which for pessimistic Schlesinger translates into a suicide for America: "If the

23. In his *Jihad. Expansion et déclin de l'islamisme* (Paris: Gallimard, 2000), p. 307, Gilles Kepel reminds that the leaders of the Union of Islamic Organizations in France "played a crucial role" in the "*foulard* affair," which has been going on in France since 1989.

24. See Jeanne-Hélène Kaltenbach and Michèle Tribalat, *La République et l'islam. Entre crainte et aveuglement* (Paris: Gallimard, 2002).

25. First in September 1989, the principal of a college in Creil, and then in 1990, the principal of a college in Montfermeil decided to exclude Muslim students who wore the *foulard* inside the establishments. This is how the endless debate on the Islamic *foulard* in France began. See Gilles Kepel, *À l'ouest d'Allah* (Paris: Le Seuil, 1994), pp. 252-258, 303-312.

26. Lucienne Bui Trong, *Les racines de la violence* (Paris: Éditions Louis Audibert, 2003), p. 9.

27. Arthur M. Schlesinger, Jr., *The Disuniting of America: Reflections on a Multicultural Society* (Knoxville, TN: Whittle Direct Books, 1991).

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republic turns away from the old Washingtonian ideal of a 'unique people,' what is then its future? The disintegration of the national community, the apartheid, the balkanization, the tribalization."[28] The Italian-American sociologist Giovanni Sartori also shares this vision of national disintegration, both pathetic and pessimistic, in his short "essay on the pluriethnic society."[29] Sartori maintains that the liberal/pluralist society is self-destructing, as it fatally drifts toward radical multiculturalism.

It is important to sense the nuance here, to distinguish between the ideal of the absolute communitarism from relative, limited or subdued communitarism. While the former blurs with racism, the latter may sometimes be a mere rearrangement of individuals according to democratically acceptable interests or affinities. So there are benign forms of communitarism. The communitarian sentiment must not be mixed up with absolute communitarism, which clearly constitutes a form of racism or separatist national-racism, exemplified in the US by Molefi Kete Asante's Afrocentrism.[30]

It is noteworthy that in the Spring 2002 edition of *Le Nouveau Petit Robert* there is still no entry for "communitarism," although it contains entries for "community" and the adjective "communal."[31] The term "communitarism" has been commonly used in social sciences since the 1980s, albeit without the necessary rigour, as synonymous to "ethnism" or

28. *Ibid.*, p. 67. To better situate this radical critique of multiculturalism, see Denis Lacorne, *La Crise de l'identité américaine. Du melting-pot au multiculturalisme* (Paris: Fayard, 1997), pp. 17-30. See also Bissoondath, *Selling Illusions*, *op. cit.*, where he develops several of Schlesinger's arguments.

29. Giovanni Sartori, "Essai sur la société pluriethnique," tr. by Julien Gayrard (Paris: Éditions des Syrtes, 2000). The 2003 edition includes a section on "Pluralism, multiculturalism and foreigners."

30. Molefi Kete Asante, *The Afrocentric Idea* (Philadelphia: Temple University Press, 1987); Molefi Kete Asante, *Malcolm X as Cultural Hero and Other Afrocentric Essays* (Trenton, NJ: Africa World Press, 1993). The hyper-communitarism represented by Afrocentrism could be interpreted as the most radical form of American multiculturalism, which illustrates at the same time the latest historical version of African-American anti-racism degenerated into an anti-White racism (the radical critique of "Eurocentrism" is inverted in a triumphalist Afrocentrism). The Afrocentrist doctrine is explicitly anti-universalist: it is based on the cult of the Afro-American people/race and turns the "African civilization" into the axis of world history. See Dinesh D'Souza, *The End of Racism: Principles for a Multiracial Society* (New York: The Free Press, 1995), pp. 337-429. See also Lacorne, *La Crise de l'identité américaine*, *op. cit.*, pp. 257-261; Alain Dieckhoff, *La Nation dans tous ses états. Les identités nationales en mouvement* (Paris: Flammarion, 2000), pp. 185, 326 (note 53).

31. The work by René Gallissot, Mondher Kilani and Annamaria Rivera, *L'Imbroglio ethnique en quatorze mots clés* (Lausanne: Éditions Payot, 2000) contains an important entry dedicated to the notion of "community/communities" (pp. 55-61) thanks to Gallissot, but there is no entry for "communitarism."

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as a regrouping of individuals: "communitarization" or "communalization." In politics and the media this term has been overused for polemics since late 1990s to stigmatize the attempts of particular groups to intervene in the political representative system to defend its own interests (usually reduced to the preservation or the reinvention of a collective identity, religious or ethnoreligious) implying the demand for specific rights or state allocations, i.e., demands for territorial autonomy of a separatist project. This undoubtedly questionable goal does not necessarily exist in "communities" defined by common history and memory, by shared values and beliefs, by an involvement in common activities and a high degree of solidarity, all of this crowned by a distinctive group "identity." The proponents of communities smaller than the nation-states generally insist on participation, as well as on identity. As Robert Bellah put it: "In a sense, the community is a group of socially interdependent people, who make decisions together, and share certain practices, which both define the community and nourish it."[32] Robert Nisbet, one of the few post-WWII authors (together with Hannah Arendt)[33] to be concerned with the "community," rediscovers and rehabilitates the communitarian dimension.[34] For him, the community constitutes "the most fundamental elementary concept of sociology with the greatest of importance."[35] Nisbet adds that "the idea of community . . . was as fundamental in the 19th century as was the notion of contract during the age of Reason," and that its recovery is "without a doubt the most characteristic phenomenon of 19th century social thought," whose implications largely outweigh the framework of sociological theory.[36] The contrast between the positive meaning of the term "community" and the extremely pejorative one given to communitarism today in France is evident.

In its usual use today, this "-ism" does not refer to a political ideology (such as nationalism), nor to an ideological configuration (such as racism), nor to a political style (such as populism), nor to a school of thought (such as the political philosophy of American or Canadian "comunitarians"). It actually names an abstract enemy, it points to a threat, it signals a danger, it

32. Robert N. Bellah *et al.*, *Habits of Heart: Individualism and Commitment in American Life* (Berkeley and Los Angeles: University of California Press, 1985), p. 333.

33. See Étienne Tassin, "Sens commun et communauté: la lecture arendtienne de Kant," in *Les Cahiers de Philosophie* 4 (Fall 1987), pp. 81-113.

34. Robert A. Nisbet, *The Quest for Community: A Study in the Ethics of Order and Freedom* (Oxford: Oxford University Press, 1953).

35. Robert A. Nisbet, *The Sociological Tradition* (New York: Basic Books, 1966).

36. *Ibid.*

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expresses concerns and demonstrates subsequently a worrisome tendency, it reveals a supposedly growing temptation, it denounces a "drift"[37] (all of which could only lead to "worse"). The anti-communitarist militants have even created their own website, where they denounce all socio-political manifestations that seem to awake "communitarist drifts."[38]

II. Interpretations of "Communitarism"

This is obviously a controversial term, or more precisely, a term whose one-sided use is essentially controversial: "the communitarist" is always the other. The other is a composite pathological figure, constructed by vehement anti-communitarists who attribute to it intolerance, voluntary isolation, ethnocentrism, even xenophobia. Communitarism is perceived mainly as a latent evil, which may become potent, even flagrant in certain circumstances: hence, it is a permanent threat to the unity of the nation or the indivisibility of the Republic. The "new feudalities" are seen as forces of fragmentation and dissociation. Better yet, the word "communitarism" emphasizes the constitution of the community, rather than the given communities; it underlines the process of their emergence (rebirth, rediscovery, invention, reinvention, construction, etc.), and signifies a trajectory toward self-closure and at the same time toward unlimited expansion (from proselytism to imperialism). One of the most popular arguments defining "communitarism" as a semi-descriptive, semi-normative ideological discourse is the following: a "communitarist" ideologist supposes that all human beings have the primordial need for identification that only a very emotional belonging to a community is able to satisfy.[39] This first description of the polemic aspect of the word "communitarism" should suffice to put *en garde* all naive recourse to this term (as if its definition goes without saying) and to prompt social scientists to change the status of "communitarism" from excommunication to a descriptive,

37. Without intending to undermine the studies, analysis and prevention done by the Ministry of Education, it is worth noting that there is a "Department for Prevention of Communitarism." The term has achieved the status of institutional nobility.

38. http://www.communautarisme.com.

39. In his short essay, *Ce que nous voile le voile. La République et le sacré* (Paris: Gallimard, 2004), Régis Debray proposes to "rehabilitate the idea of community" and supports it with a very classical argument: the primordial need for community relations. "Is it necessary to keep opposing, like fire and water, the terms *individual* and *community*, and to consider the slightest mention of origin or affiliation as a racist or humiliating insult? Human beings need to be attached to something bigger than themselves. And the more vulnerable they are, the more important it is to insert them in a network of recognition and solidarity." P. 34.

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indeed, explicative model.

Political journalism in France often interprets "communitarism" as the predictable effect of a more or less profound crisis of the republican system of integration *à la française* or as an imported phenomenon. It is suggested, for example, that the general failure to integrate North African immigrants causes mechanically "identitarian" or "communitarist" withdrawals. They either postulate or deplore the postulated fact that the Middle Eastern conflicts (generally referring to the Israeli-Palestinian or the Israeli-Arab conflict) are "imported" to French territory, even in the very heart of schools, where the "tensions," "frictions" or "clashes" between young Jews and young Muslims are called "communitarist." In 2003, Hanifa Chérifi, a mediator for the Ministry of Education in charge of resolving the conflicts around the Islamic *foulard*, argued that "the substitution identity," into which many immigrant youths dangerously plunge, is born in the heart of "French social and school politics." Presupposing an opposition between integration and communitarization, she adds: "Populations were left to live among themselves. School could not help integrate them, or create conditions of mixing or exchange. One cannot blame the populations for gathering in communities, while they are divided around them."[40] The diagnosis is clear, and numerous sociologists agree: the relative failure of the so-called process of integration or republican assimilation has favored the appearance of a community structure of substitution, on the basis of a reinvention of Muslim identity in North African or sub-Saharan populations. Such an analysis presupposes that the French nation is going through a "crisis of direction" which, as the anthropologist Marc Augé argues, affects as much the individual domain (the couple, the family) as it affects the collective domain (society, state). Augé argues that one of the principal elements of this crisis resides in the "substitution, characteristic of our modernity, of the media for mediations."[41] But it is also necessary to consider those, who are taken by religious "syncretism," whose growing supply responds to a mass demand favored by the growth of "unaffiliated individuals" in search of direction: "What all proliferating religious forms (prophetism,

40. Hanifa Chérifi, quoted in Nicolas Truong, "L'école républicaine confrontée à la tentation communautaire," in *Le Monde de l'éducation* 314 (May 2003), pp. 21-22. See Roger Fauroux and Hanifa Chérifi, *Nous sommes tous des immigrés* (Paris: Robert Laffont, 2003).

41. Marc Augé, *Le Sens des autres. Actualité de l'anthropologie* (Paris: Fayard, 1994), p. 186.

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cults, various fundamentalisms) have in common is that they address sick or unhappy individuals who can no longer situate themselves in relation to others through the old cosmologies, and who suffer a deficit of meaning."[42] Communitarization is a mode of rehabilitation, where belonging to an ethnico-religious community becomes a privilege. Thus, "Muslim communitarism," most visible in the media since the end of the 1990s, is not the only form of "communitarism" to appear as a response to a demand for meaning. To recuse "communitarism" is in reality to recuse what would be more appropriately called "multicommunitarism," which is nothing more than normative multiculturalism in the strong sense, i.e., a politics of difference, of recognition and identities, which privilege the requirements and rights of minoritarian ethnic or religious groups, at the expense of the organizational principle, which transcends particular groups and particularisms, i.e., the community of citizens[43] or civic community (which must be approached paradoxically as a non-communitarist community, or a metacommunity). The reason is clear: a nation is not made by juxtaposing or by adding "communities" or "minorities," ethnic, cultural or others.

If, as Dominique Schnapper affirms, "a democratic nation is at the same time civic and ethnic," and if it is defined "as a project to subject the ethnic element to the civic,"[44] communitarism could be defined as the contrary pretense to elevate the ethnic element above the civic, or by the desire to reduce the civic to the ethnic. Some would denounce "communitarism" as a deplorable "regression" or an unfortunate resistance to change, indeed, as a "reactionary" attitude. This presumes the evolutionary or "progressive" vision, supposing that the move from a "community" of primary liaisons (familial, ethnic, tribal, etc.) to modern society defined in terms of voluntary or contractual connections, is a transformation for the better, i.e., "progress." It is true that the word "community" appears fundamentally equivocal when used in such contexts as "the community of citizens," where it is drawn toward abstract and rational relations, which constitute national citizenship, and the "Muslim community of Créteil" or the "Jewish community of Sarcelles," where it connotes relations of proximity, emotional connections, common ways of living and

42. *Ibid.*, p. 187.

43. Dominique Schnapper, *La Communauté des citoyens. Sur l'idée moderne de nation* (Paris: Gallimard, 1994).

44. Dominique Schnapper, "De la communauté des citoyens à la démocratie providentielle" (Jan. 25, 2003), in *Bulletin de la Société française de Philosophie* 1 (Jan.-March, 2003), p. 5.

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shared religious beliefs. It is the heir of citizen, but this heir is of several inheritances, of several collective memories that are not shared by all citizens. What is shared among them is an ensemble of abstract representations, and the feeling of a co-belonging to the "national community," supposedly endowed with an "identity" (which nonetheless remains unidentifiable because it is doomed to remain an obscure idea).[45] A nation, a "community of citizens" is certainly a "community of fate," but it is such only if it is at the same time a community of memory, of experience and responsibility — it is these combined civic co-responsibilities that make a common future possible. These relations are not "concrete," they only exist at the state of representations, and yet, they are not wanted or chosen (reasons for choice vary considerably). The national community exists only by the mediation of shared ideals. In this sense, the nation is a community of representations, articulated to a virtual community of social behaviors, implying the paradoxical sentiment of an abstract association between the abstract subjects that citizens are. It is appropriate to emphasize the distinction between "imagined community"[46] that is the modern nation, and the local/minoritarian cultural communities. If the nation could be considered as a form of community, what characterizes it is the high abstraction of interactions that constitute it.[47] But this high degree of abstraction requires, by a negative dialectic, the return to the concrete, to the warmth of the small group, to the community of affective relations.

In France, the question of "communitarism," before it is discussed as a question of political philosophy or sociology, is a question of wording, because the controversial meaning of the term "communitarism," very loosely defined in many respects, is often determined by pairs of opposites: "communitarism" versus "republicanism," "communitarism" versus "secularism," "communitarism" versus "universalism" (or "human rights"), "communitarism" versus "nationalism" (or, the mid-1990s term "nationism"[48]), "communitarism" versus (liberal) "individualism." It is important to question these binary relations with opposite, contradictory

45. See Pierre-André Taguieff, *La République menacée* (Paris: Éditions Textuel, 1996), pp. 77-85.

46. See Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* [1983] (London: Verso, 1991).

47. See Gil Delannoi, *Sociologie de la nation. Fondements théoriques et expériences historiques* (Paris: Armand Colin, 1999); Claude Nicolet, *Histoire, nation, République*, *op. cit.*

48. For a justification of the neologism "nationism," see Pierre-André Taguieff, *Les Fins de l'antiracisme* (Paris: Éditions Michalon, 1995), pp. 175, 202-205, 557-559; Taguieff, *La République menacée*, *op. cit.*, pp. 53, 59.

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or complementary terms, and to engage in a semantic clarification of the numerous language games containing the word "communitarism." This is a preliminary step toward a conceptual construction.

III. Sociologies and Philosophies of the Community

In many respects, the opposite pairs derive from Ferdinand Tönnies' famous 1887 book, *Gemeinschaft und Gesellschaft* (*Community and Society*), defininining the two distinct forms of socialization in modern societies.[49] It is important to contextualize this concept and to shed light on its influence on the sociological tradition. This development, however, is beyond the limits of the present study. In reference to the pair "community/society," Tönnies wrote in a passage pregnant with meaning: "All that is confident, intimate, living exclusively together constitutes *life in community*. . . . Society is what is public; it is the world; in the community one is together with his own since birth, connected to them in good and in bad. Society is foreign land."[50] Leaving the protective warmth of the primary group, one enters the "ice-cold waters of egoistic calculations,"[51] a world where the shock of individual interests reigns. To leave the community means at the same time to leave the reassuring past for an uncertain future. It is clear that for Tönnies the fundamental sociological opposition presupposes the philosophical antinomy of what is natural versus what is artificial,[52] which could be translated in the language of morality by the antithesis of the authentic versus the inauthentic. In *Economy and Society*, analyzing the integration of social actors, Max Weber took up Tönnies' distinction, reinterpreting it: rather than oppose *Gemeinschaft* and *Gesellschaft*, he analyzes passages of the ideal-type community or society,[53] or the processes of "communalization" (*Vergemeinschaftung*) and "socialization"

49. See Nisbet, *The Sociological Tradition*, *op. cit.*; Julien Freund, "Les catégories sociologiques de Ferdinand Tönnies" (1988), in Julien Freund, *D'Auguste Comte à Max Weber* (Paris: Éditions Economica, 1992), pp. 175-187.

50. Ferdinand Tönnies, *Community and Society*, tr. by Charles Loomis (Mineola, NY: Dover Publications, 2002).

51. Marx's famous formula does not, however, replace the "pre-communitarian" critique that Marx himself offered in his *The Jewish Question* (1844) of the individualism caused by capitalist society, of the "egoistic man, man as a member of bourgeois society, i.e., an individual separated from the community, withdrawn from himself, concerned only with his personal interest and obeying only his private will."

52. Freund, "Les catégories sociologiques de Ferdinand Tönnies," *op. cit.*, p. 183.

53. Max Weber, *Economy and Society*, tr. by Ephraim Fischoff *et al.* (New York: Bedminster Press, 1978), Part II, Ch. 3. See Raymond Aron, *Les Étapes de la pensée sociologique* (Paris: Gallimard, 1967), pp. 552-553.

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(*Vergesellschaftung*).[54] Here the process is privileged over states, which were often seen as "evolutionary stages" in the evolutionary notion of progress. Weber uses the concept of "communalization" to redirect the sociological analysis towards the modes of constitution and maintenance of "diffuse solidarities."[55] Through a series of evasive, wrong and counter-meanings, sometimes creative, of which history of ideas offers many examples, the opposition between "community" and "society" has come to be interpreted as an illustration of the antithesis between "closed society" and "open society" (characterized by its individualism), categories presupposing respectively the triads "hierarchy, order, authority" and "equality, contract, (individual) freedom." The practical conclusion of this ideological interpretation, often drawn by liberal or republican partisans of "open society" — in a presupposed or conscious evolutionary perspective — is that "communities" should be regarded with mistrust, as carriers of closure and isolation, inequality and exclusion. This is what gives a "communitarist" sense to the community phenomenon.

Nonetheless, the negative opinion of the "community" could be reversed: one of the possible conclusions of the radical critique of modern society, where social relations are supposedly endangered by the exacerbation of individualism and the growing massification, is that one must wait for the salvation of the "return" to cultural communities as primordial forms of authenticity. If "progress" (defined as moving from "community" to "society") comes across as the sum of losses, then true progress is the conscious "regression" toward communitarism. Such an argument could be typically "reactionary," although it is present both on the right and on the left, on the extreme right (i.e., the "identitarians") and on the extreme left (i.e., the radical green). In "conservative revolutionary" environments, during the Weimar Republic, the new political community, called *Volksgemeinschaft*, was opposed to a state of liberal parties.[56] Ideologized in this way, almost to a point of a

54. See Nisbet, *The Sociological Tradition*, *op. cit.*, pp. 106-109; Freund, "Les catégories sociologiques de Ferdinand Tönnies," *op. cit.*, p. 180; Dominique Schnapper, *La Relation à l'autre. Au cœur de la pensée sociologique* (Paris: Gallimard, 1998), pp. 86-97.

55. See Raymond Boudon and François Bourricaud, *Dictionnaire critique de la sociologie* [1982] (Paris: PUF, 1994), "Communauté," p. 83.

56. Edgar Julius Jung takes this position in his *Sinndeutung der deutschen Revolution* (Berlin: December, 1933), p. 9. See Barbara Koehn, "La Révolution allemande selon Edgar Julius Jung et le national-socialisme," in Barbara Koehn, ed., *La Révolution conservatrice et les élites intellectuelles européennes* (Rennes: Presses Universitaires de Rennes, 2003), pp. 103-104.

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mythical construction, the "people's community" was celebrated as a new foundation for a stable and "organic" political order, supposed to put an end to social conflicts favored by the pluralist liberal democracy. This motif was shared by all ideological forms of the "(new) German nationalism" during the Weimar Republic. The Nazis, especially the "national-revolutionaries" and the "*völkisch*,"[57] took the normative theme of *Volksgemeinschaft* and redirected it in a racist sense.

Recent French uses of the word "communitarism" in political and media language should be formally distinguished from the Anglo-Saxon use of the term "communitarian" in recent debates in the domain of political and moral philosophy. The emergence of a philosophical debate between the liberals and the "communitarians" has become visible with the publication of the Michael Sandel's 1982 book, *Liberalism and the Limits of Justice*,[58] which criticizes liberal scholars (such as John Rawls in his 1971 *A Theory of Justice*[59]) for taking into consideration only the ideas of freedom and equality, while neglecting the notion of community, and for arguing that justice is "the first virtue of social institutions,"[60] wrongly identifying or underestimating the virtues considered to be "more noble," e.g., good will or solidarity. The school of thought led by the principal communitarian authors (Michael Sandel, Michael Walzer, Amitai Etzioni, Alasdair MacIntyre, Charles Taylor) has been unfortunately called "communitarism" in French,[61] which has caused a number of misunderstandings, has aggravated the semantic indetermination of the word "communitarism" and has generally contributed

57. On *völkisch* nationalism and its constitutive ambiguity, see Gilbert Merlio, "Y a-t-il une 'Révolution conservatrice' sous la République de Weimar?" in Koehn, ed., *La Révolution conservatrice*, *op.cit.*, pp. 28-30.

58. Michael J. Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982).

59. John Rawls, *A Theory of Justice* (London: Oxford University Press, 1971).

60. *Ibid.*

61. See, e.g., Will Kymlicka, "Communautarisme," in Monique Canto-Sperber, ed., *Dictionnaire d'éthique et de philosophie morale* (Paris: PUF, 1996), pp. 263-270; Justine Lacroix, *Communautarisme versus libéralisme. Quel modèle d'intégration politique?* (Bruxelles: Éditions de l'Université de Bruxelles, 2003). See Raymond Boudon, "La face noire des communautés" (*Sociétal* 21, July 1998, pp. 55-58), republished as "Les dangers du communautarisme," in Raymond Boudon, *Le Sens des valeurs* (Paris: PUF, 1999), pp. 387-397. The word "*communitarianism*" has been translated in German as *Kommunitarismus*. See Axel Honneth, ed., *Kommunitarismus. Eine Debatte über die moralischen Grundlagen moderner Gesellschaften* (Frankfurt/M.: Campus Verlag, 1993).

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to confusion.[62] It would have been useful to come up with a distinctive name.[63] It is too late today to rename those things, the semantico-lexical mess has been made, the confusing category is in circulation. Although a number of enlightening works have been published on the liberal/communitarian debate, especially on its North American variety, the comparative and transnational studies in France are still at an amateur level and need to be developed, as difficult and delicate as they might be: to translate the various cultural codes in which the debates are grounded, centered almost entirely on the model for political integration most congruent with the idea of democracy, or with the normative concept of political identity in a democratic society. The emphasis on heritage, meanings and shared values, on solidarity and fraternity, on affective relations, on the active participation in the group — that is what could constitute the communitarian ideal.

Then there remains the difficult question: are the values irremediably embedded in the particular cultures or communities, and are they incomparable, a premise that would "render all requirements of ethnic and social minorities equal and legitimate"[64]? Or should radical cultural relativism be denounced, based on the fact that there are universal values and norms, which, being infinitely "weaker" than the ones embedded in particular

62. In "La République face aux communautarismes" (*Études* 4002 (Feb. 2004), pp. 177-188), where she clearly explains the necessary conceptual distinctions, Dominique Schnapper nonetheless confuses "communitarism" *à la française* — a very controversial category, and the Anglo-Saxon "communitarianism," to which she also refers with the term "communitarism" — which obscures the otherwise enlightening analysis. The French reception of the Anglo-Saxon "communitarianist" philosophy has been modulated by the existence of another "communitarist" tradition carried by the different "personalist" schools of thought, among which are Emmanuel Mounier and the journal *Esprit* (launched in October 1932). See Emmanuel Mounier, *Révolution personnaliste et communautaire* (Paris: Éditions Montaigne, 1935). Mounier argued that the future revolution should be "personalist and communitarian" (later, Jacques Maritain claimed to have coined the term in J. Maritain, *Le Paysan de la Garonne* (Paris: Desclée de Brouwer, 1966), p. 82. The anti-individualist thought of this "third way" (neither liberalism nor communism) which could be qualified as "personalist" or "communitarianist" is the principal sign of recognition of the "non-conformists of the 1930s." The formula allowing to situate correctly this "third way" should be neither liberal individualism, nor communist collectivism, nor fascism, as Mounier suggests in the introduction to his *Manifeste au service du personnalisme* (*Esprit* (Oct. 1936), p. 7). See the classic work by Jean-Louis Loubet del Bayle, *Les Non-Conformistes des années 30. Une tentative de renouvellement de la pensée politique française* (Paris: Le Seuil, 1969). See *The Communitarian Third Way: Alexandre Marc and Ordre Nouveau, 1930-2000* (Ithaca: McGill-Queen's University Press, 2002).

63. In the *Dictionnaire d'éthique et de philosophie morale*, *op. cit.*, p. 274, Honneth uses the term "communitarisme" (as a translation of "*communitarianism*," from "*community*" and "*communitarian*") in the entry for "community."

64. Boudon, *Le Sens des valeurs*, *op. cit.*, p. 388.

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communities, do not intervene in our evaluations? The universal values embodied in Antigone are just as valid as the "strong" or "heavy" values illustrated by Creon, the defender of Thebean community.[65] The latter, however, should not be considered to be intrinsically perverse. When they appear as simply living communities without any political objective, e.g., cultural community, almost bordering a purely "emotional community," the communities do not pose a threat to anyone and stem from the right of every citizen to freely associate according to various criteria. The subpolitical criteria vary because the motifs of interdependence are differently emphasized: communities of memory, of interest and taste, of values, of beliefs, of language, of ethno-national origin, of charitable work, project-related, etc. The two-centuries-old example of the French Jews shows that the maintenance of a community identity is compatible with the harmonious integration in a national community, that the persistence of ethnicity has not proved to cause a conflict with the republican system of assimilation.[66] For that purpose it suffices that the distinction between public and private be respected, and that the multiplicity of belonging and identities, which define individual identity, be recognized. This is what Ady Steg celebrates in his famous remark: "The glory of France comes from the fact that integration does not suppress originality."[67]

Successful mixing supposes preservation of the principle of subordination of the particular to the universal, or the recognition of the difference of a secondary or an indirect value, which implies privileging similarity. The primacy of citizenship (abstractly defined) in relation to community particularities, without eradicating the latter, is the condition for the republican synthesis *à la française*.[68] This is the way to limit the

65. *Ibid.*, pp. 394-397.

66. See Phyllis Cohen Albert, "Ethnicité et solidarité chez les Juifs de France au XIXe siècle," *Pardès* 3 (1986), pp. 29-53; Phyllis Cohen Albert, "L'intégration et la persistance de l'ethnicité chez les Juifs de France dans la France moderne," in Pierre Birnbaum, ed., *Histoire politique des Juifs de France. Entre universalisme et particularisme* (Paris: Presses de la Fondation nationale des sciences politiques, 1990), pp. 221-243. This political and cultural history also concerns philosophical thought, as shown by the reflections of Emmanuel Levinas, "Assimilation et culture nouvelle" (Dec. 1979), in *Les Nouveaux Cahiers* 60 (Spring 1980), pp. 4-7.

67. Ady Steg, in *Être français aujourd'hui et demain*, report by the Commission of nationality, presented by Marceau Long, President, to the Prime Minister (Paris: Bourgois, 1988), vol. 1, pp. 337-351. See also Dominique Schnapper and Chantal Benayoun, "Citoyenneté républicaine et spécificité juive," in *Les Nouveaux Cahiers* 97 (Summer 1989), pp. 5-9.

68. See Pierre-André Taguieff, *La Force du préjugé. Essai sur le racisme et ses doubles* (1988) (Paris: Gallimard, 1990), p. 482.

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power of politicized particularities. Yet, the strictly "communitarist" way, when there are conflicts between particular (mores) and universal (laws), consists in cutting in favor of the particular, in an ethnocentric or more generally sociocentric manner.[69] When certain national particularities are put in parentheses, the "communitarian" restriction of liberal individualism proves to be very close to the national-republican theme *à la française*,[70] as Sandel argues: "Liberal theory lacks those loyalties and responsibilities whose moral force resides precisely in the fact that they are inseparable from our own understanding of ourselves as members of a given family, city, nation or people, as heirs of given history or citizens of a given republic."[71] There is nothing to prevent taking into consideration certain particularities of a certain group, as long as these do not compete with others. From this perspective, stemming from civic republicanism, "communitarism" could be redefined as "the enclosure of people in a particular group, at the expense of their common conscience and relations, beyond their group, with members of a larger society."[72] The problem then becomes marking the limits (always negotiable) to the "logic of endless claims" to which juridical recognition of all particularities threatens to lead.[73]

IV. The Republican School in the Face of the Communitarist Threat: The French Case

Looking through recent texts in France on "communitarism," one often notices the mention of "racism and anti-Semitism," combined with a program of action against "communitarism." There is a language play in place: the imputation of "communitarist drifts," "situations of communitarist tensions" or "(inter-)communitarist conflicts" of so-called "racist" and, since 2000, "anti-Semitic" violence. The ordinary social representation of supposedly "racist and anti-Semitic" threats and aggression sometimes causes political inference and suggests certain types of treatment or inspire certain measures: if there is a causal connection between "communitarist ideas" and "racist and anti-Semitic" aggression,

69. See Elisabeth Badinter, *Fausse route* (Paris: Odile Jacob, 2003); "Une France plurielle . . . ou éclatée? Un débat entre Elisabeth Badinter et Alain Touraine," *Le Nouvel Observateur* (June 19, 2003).

70. The "sovereignist" form of national-republicanism *à la française* is not taken into consideration here.

71. Michel J. Sandel, *Democracy's Discontent: America in Search of a Public Philosophy* (Cambridge: Harvard University Press, 1996), p. 14.

72. Schnapper, "La République face aux communautarismes," *op. cit.*, p. 180.

73. *Ibid.*, p. 186.

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it follows logically that in order to fight the latter, they need to be given a proper name. This is how anti-racism is associated with anti-communitarism. But in a perverse logic, the moral and political condemnation of "communitarism" tends to affect the "communities." Thus, certain malevolent spirits conclude that if the "Jewish community" did not exist, there would be no anti-Semitism. It is equally unfortunate when parallels are drawn between "racist" acts (anti-Arab or anti-Muslim) and "anti-Semitic" acts, as if Maghreb or African youth or other members of the Muslim community attack Jews and burn down Jewish schools and houses of prayer (which is confirmed by the police), simply mirrored representatives of the "Jewish community" and of Jewish origin assaulting French of Maghreb descent, destroying Muslim schools and holy places (which has never been observed by the police). Such a false symmetry between Judeophobia and Arabophobia (or, *a fortiori*, Islamophobia) plays the role of an ideological weapon and points to a manipulation of opinion: for those who diffuse it (the League for Human Rights, extreme Left organizations, Islamic organizations, the MRAP [*Mouvement contre le racisme et pour l'amitié entre les peuples*]) it amounts to a relativization or minimization of the importance of the recent wave of Judeophobia in France since the Fall of 2000.[74]

A recent issue of the monthly *Le Monde de l'éducation* (May 2003) illustrates this point well. The cover reads: "Communitarism. Menace to the School," a part of a discussion "The School Put to the Test of the Communities." The introduction to this issue, written by Nicolas Truong, an editor for the journal, is entitled: "The Republican School Confronted by the Communitarist Temptation." When the relations get caught in a logic of "us" and "them," what can and should the republican school do? This is not a definition of "communitarism" but a mobilization of a stigmatizing cliché ("identitarian withdrawal") overused in journalistic literature, and of the allusion to a possible schematization of the common mechanism of ethnocentrism, xenophobia and racism (the opposition between "us" and "them," or "the others"). The final article of the issue summarizes the problem developed in a series of statements, whose premises are not at all concealed: "The echos of the social and moral crisis of French society resonate in the school establishment. The anti-Semitic insults and acts are growing. The Ministry of National Education declares a war on a communitarism, exacerbated by conflicts in the Middle East. It is the role of the school to

74. See Pierre-André Taguieff, *La Nouvelle Judéophobie* (Paris: Mille et une nuits, 2002); and *Prêcheurs de haine. Traversée de la judéophobie planétaire* (Paris: Mille et une nuits, 2004).

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provide a solution. But the gap between abstract universalism and particularism is not that large."

Brigitte Perucca's "The After-War of Education," written in the context of the second Iraq war, argues that the philosopher Luc Ferry, Minister of Education, had on purpose intervened in the public space, on Feb. 27, 2003 (i.e., shortly before the Anglo-American attack on Iraq) to denounce "communitarism in the schools." More precisely, the Minister had decided to adopt measures intended to "prevent a potential growth in communitarist frictions" in the face of a risk of "importing the Middle Eastern conflict in the educational institutions, including universities."[75] A few weeks later in his letter addressed to "those who love the school," the Minister stated briefly but determinedly: "Against communitarism: to reaffirm the principles of the republican secularism."[76] This reaffirmation of the principles of the republican tradition intervenes in a context where it appears to be very necessary. What does Ferry mean with "communitarism" in order to stigmatize them? The answer to this question is outlined in a passage of the mentioned Letter, where the Philosopher-Minister deplores precisely the fact that "our students are left to gather in pseudo-communities based on origin" and "in the name of good feelings and a wrong conception of the 'respect the other' doctrine." Seized by "unquestionable regress," resulting from the fact that "the fundamental principles of our republican school have fallen more or less in desuetude," the French system of education is, according to the Minister, in deeper trouble "because of the negative effects of certain communitarist conflicts." In the binary opposition of the negative sense of the term "communitarism," the positive term is "republican secularism," or, more precisely, the principle that "unites secularism and the republican tradition of human rights."[77] But for human rights to play such an important role in the anti-communitarian argument, they, too, must be interpreted: human rights mean that all human beings must be respected for themselves, from the linguistic, cultural, ethnic or religious community to which they belong.

The philosophical implications of human rights are then, on the one hand, detachment of the individual from his belonging, his inherited collective identities, and on the other, respect for human dignity. According to Ferry, they are the foundations of the rejection of "racism, anti-Semitism

75. Luc Ferry, statement on Feb. 27, 2003, quoted in Truong, *Les racines de la violence*, *op. cit.*, pp. 20-21.

76. Luc Ferry, *Lettre à tous ceux qui aiment l'école. Pour expliquer les réformes en cours* (Paris: Odile Jacob, 2003), pp. 54-55.

77. *Ibid.*, p. 54.

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and communitarism." Hence, the articulation of liberal individualism and humanist universalism constitutes the best anti-communitarian machine. Partisans of multiculturalism, even moderate ones, denounce even the mere expression of abstract universalism or one of the other versions of assimilationist attitude.[78] But the true question is whether the French republican tradition of assimilation on the basis of individualism-universalism is compatible with community relations, as they are confined beyond the public sphere. This compatibility is possible, since it was historically manifested in the example of the "Jewish community," whose free development was not prohibited in any way by the republican allegiance of the Jews in France.[79]

In Ferry's text of perfect republican rigor, it is noteworthy that the three -isms mentioned are placed on the same plan, suggesting that "communitarism" is not less intolerable than "racism" or "anti-Semitism." As far as the principle of secularism is concerned, it is relegated to the secondary role of a guarantee for the "peaceful existence of the different faiths in our country," implying that "no religion is imposed on citizens as official ideology."[80] Considered together and hastily interpreted, these two theses can favor relativism. An exclusively neutral reading of the principle of secularism connects liberal theory with the neutrality of the State toward concepts of the good or of good life. It is appropriate to emphasize that such a minimalist vision of the axiological and normative engagement could set equal all systems of belief. Radical neutralism opens the way to relativism of values and norms, often disguised in the image of "tolerance." Axiological egalitarianism (everything is equally respectable), which derives from the imperative for a tolerance without limits, tends today to substitute the principle of secularism, and presupposes its reduction to a

78. See Michel Wieviorka, *La Différence* (Paris: Éditions Balland, 2000), p. 95. The sociologist, who defends multiculturalist politics, recusing "abstract universalism" and the doctrine of assimilation which puts individuals above groups, summarizes the project he rejects: "This thinking nourishes the project of attaching the individuals to the universe of their own cultural and minoritarian particularities, perceived as necessarily narrow and closed on themselves, in a way as to permit them to accede to universal values of nation and citizenship." (*Ibid.*). Assimilation is directly opposed to the differentialist integration of groups on the basis of their origins or their "communitarist" belongings.

79. See Pierre Birnbaum, "Citoyenneté et particularisme. L'exemple des Juifs de France," in Pierre-André Taguieff, ed., *Face au racisme* (Paris: La Découverte, 1991), vol. 2, pp. 283-295; Pierre Birnbaum, *Les Fous de la République. Histoire politique des Juifs d'État, de Gambetta à Vichy* (Paris: Fayard, 1992).

80. Ferry, *op. cit.*, p. 54. On the principle of secularism, see also Henri Pena-Ruiz, *Qu'est-ce que la laïcité?* (Paris: Gallimard, 2003), esp. pp. 255-272 (conclusion).

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void frame, aiming at gathering all faiths and lifestyles in the world. In reality, the French republican tradition, sometimes led by the requirement for universality and by the ideal of the active citizen or of the solid involvement in city affairs, is far from this radical neutralism which places all beliefs and life-styles on the same plane. The requirement for universality incites the rejection of certain cultural practices deemed to be intolerable (mutilations, female circumcision, torture, death).[81]

Cultivating such civil values, appropriate for a "strong democracy,"[82] does not go well together with the hyper-relativist neutralism. As the "communitarian" Tocquevillian scholar Charles Taylor noted, "a democratic society, which valorizes participation, could not be neutral between political life and apathy."[83] In the national republican tradition *à la française*,[84] just as in the "national-civic" movement of English political thought,[85] the state is not neutral *vis-à-vis* concepts of good life and systems of beliefs.[86] Insofar as it is a guarantee for the general interest or incarnation of the common good, it intervenes actively in order to promote a model of citizenship, which implies both equality of citizens, the isolation of particular identities in the private sphere, and a political

81. See Pierre-André Taguieff, *Le Sens du progrès. Une approche historique et philosophique* (Paris: Flammarion, 2004), pp. 322-323.

82. See Benjamin R. Barber, *Strong Democracy: Participatory Politics for a New Age* (Berkeley: University of California Press, 1984); and his *A Passion for Democracy: American Essays* (Princeton, NJ: Princeton University Press, 1998).

83. Charles Taylor, "Quelle philosophie est encore possible?" in *Le Banquet* 3 (1993), ed. by Nicolas Tenzer, p. 168.

84. Paul Thibaud, for instance, in his writing on Tocqueville and Taylor, who epitomize the "malaise of modernity," questions the possibility of a "requalification of politics" from a spiritual dimension which would be intrinsic to the government style "Jacques Maritain, Charles Taylor et le malaise de la modernité," in Guy Laforest et Philippe de Lara, eds., *Charles Taylor et l'interprétation de l'identité moderne* (Paris: Les Éditions du Cerf, 1998), p. 212.

85. See esp. David Miller, *On Nationality* (Oxford: Claredon Press, 1995). From this perspective, belonging to a political community brings particular obligations, which, far from being reduced to juridical norms based on institutions, are directly related to a national or patriotic identification: "Each member accepts to prove certain loyalty toward the community, which he expresses by his will to sacrifice his personal benefit in the name of the community interests." See David Miller, "The Ethical Significance of Nationality," in *Ethics* 98 (July 1988), p. 648.

86. In his book *Communautarisme versus libéralisme* (*op. cit.*, pp. 12-13, 173-174), Justine Lacroix has pointed out the resemblance or the proximity of the arguments advanced respectively by the "communitarian" thinkers and the representatives of "national-republican tendencies" in France or the "national-civic" in the English-speaking parts of the world. Michael Walzer, too, has noticed that the civic republicanism is "a version of the left of communitarianism." ("Communauté, citoyenneté et jouissance des droits," tr. by Jean-Claude Monod, in *Esprit* 230-231 (March-April 1997), p.123.

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engagement, characterized by patriotism or strong civil participation.[87] The question then could be phrased in a different way, based on a definition of conditions required for the inclusion of citizenship in a democratic political community, which defines (through its particularity) the autonomy and personal responsibility of supreme values and norms: "The future citizen should be capable, and willing, to be a member of this particular historic community, of its past and its future, of its life forms and its institutions, in the framework of which its members think and act. In a community, which valorizes the autonomy and capacity for judgment of its members, this does not amount to a requirement for pure conformity. On the contrary, it is a requirement for knowing the language and the culture, and for recognition of institutions which favor the reproduction of citizens capable of making autonomous and responsible judgments."[88]

This is why in Western democracies certain religious requirements, e.g., killing apostates or punishing adulterous women — practices that are still observed in certain Muslim countries — are deemed intolerable, although they are justified in those countries. The French law that bans "ostensible" religious signs — obviously with a political goal, i.e., to render ideologically acceptable the prohibition of the Islamic *foulard* (a political-religious and ethnic sign), represents a compromise between a normative engagement and the effort to respect the generality inherent to all laws. In France, the school is a very particular space that must be respected, where a sign of identitarian identity questions, as it functions as propaganda. In school, the communitarian visibility of some equals violence against others. Alain Finkelkraut's comments on that are indispensible: "The school is not the place where communities should express themselves. The school is not a space to affirm one's identity; it is a neutral space, where arrogance is suspended. There is no place for arrogance in school; there is something arrogant in the display of identity. In school the Islamic *foulard* is not a symbol or an instrument of modesty, but a violently immodest sign. Covering one's head is not to hide, but to show off. 'Have some modesty! This is too much,' one is almost tempted to reply. In school, a *foulard* of ignorance must be thrown over identities in order for communication to take place. The space of intersubjectivity must be

87. See Dieckhoff, *La Nation dans tous ses états*, *op. cit.*, pp. 162-163.

88. H. R. van Gunsteren, "Admission to Citizenship," in *Ethics* 98 (July 1988), p. 736; quoted in Jürgen Habermas, "Citoyenneté et identité nationale" (1990), in Jürgen Habermas, *L'Intégration républicaine. Essais de théorie politique* [1996] (Paris: Fayard, 1998), p. 92.

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filled with recognition before there is any place for common knowledge and search of the truth."[89]

A rhetorical configuration which, based on defendable theses, tends to obscure the problems, must be rethought. Such an argument is highly criticized, first, because it sets "communitarism" equal to other repulsive "-isms" ("racism," "antisemitism"), supposing that they interact for the worst (the "situations of communitarist tensions," or the "communitarist insults," which supposedly incite "racist" and "anti-Semitic" passions). This is how the idea that there is a growth of "communitarisms"[90] came about. A second problem that involves the pretense to fight "communitarism" and the bad "isms" that accompany it or that derive from it through the sole affirmation of principles and bringing up fundamental values, stemming from human rights married to "republican secularism." It is normal to question what appears to be an explicative model received uncritically by a large number of our contemporaries, intellectuals, opinion leaders, decision-makers, and political actors. "Communitarism" functions very often as a magic word, which is supposed to explain the inexplicable, to clarify the obscure, to reveal the evil, condemn it and indicate *a contrario* the right way of eradicating the main cause for today's socio-political misfortunes. In some new version of the Dictionary of Ideas, the entry under "communitarianism" might very well be reduced to an economic syntagme: "Condemn without discussion." What remains strangely absent is the attempt to constuct conceptually this repulsive "-ism", which functions as an anathema. This is a heavily stigmatizing word, thrown in the public space without definition, i.e., without limiting its applicability, and without clarifying its meaning. The absence of definition makes it possible to see how the denunciation of "communitarism" slowly falls on the community, on communities or community feeling, because of ambiguous uses of the adjective "communitarian" or "intercommunitarian." It is appropriate to quote here a passage from a very interesting work by the specialist in urban violence, Lucienne Bui Trong.

"To accept that the youth defines itself in terms of an ethnic or religious identity, as opposed to in terms of the French nation, is not a sign of open-mindedness or rejection of racism. Such a withdrawal, on the contrary,

89. Alain Finkielkraut, "Une histoire personnelle du communautarisme" (interview), in UEJF, ed., *Les Enfants de la République. Y a-t-il un bon usage des communautés?* (Paris: Éditions de La Martinière, 2004), pp. 35-36.

90. There is a certain number of scholars to support this thesis together with Luc Ferry, *Lettre à tous ceux que aiment l'école, op. cit.*

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leads to isolation, to oppositions and intercommunity conflicts. Disguised as tolerance, generosity, it is only an avatar of racism. . . . That is why we must be careful with sides and must not cede to the sirens of integrism."[91]

If one subscribes to this position, whose high degree of abstraction distances all precise action from any perspective, the battle against communitarism does not at all differ from that against religious integrism or racism. It appears on the contrary that in order to determine what actions are efficient, it is important to begin by distancing precisely the social processes in question, the contexts and the situations, the objections to collective action and the tactico-strategic means. Here another important phenomenon needs to be considered: the way in which certain ideologues, polemists or those who can influence opinion hold onto the anti-communitarist theme for reasons that have nothing to do with the defense and illustration of republican ideals.

V. Anti-Communitarism: Between Ambiguity and Instrumentalization

The anti-communitarist position has imperceptibly become a convenient way to access the media, which only benefits the unscrupulous demagogues, as demonstrated by the fact that the only "expert" interviewed at length in the dossier of *Le Monde de l'Education* about "the school facing communities" is none other than Tariq Ramadan, whose doctrine is summed up by this prescription as a headline: "Escaping the mental ghetto."[92] The Islamic scholar, introduced as a "respected and controversial Muslim reformist,"[93] is qualified, according to his interviewer, by his "rejection of communitarism." Whereas his activities define him as part of the problem of "communitarism," the journalist resolutely presents him as having the answers.[94] The interview is presented, misleadingly and flatteringly (for the demagogue

91. Bui Trong, *Les Racines de la violence*, *op. cit.*, p. 206.

92. Tariq Ramadan: "Sortir du ghetto mental," in *Le Monde de l'éducation* (May 2003), pp. 24-25.

93. Nicolas Truong, "Tariq Ramadan, un réformateur musulman écouté et discuté," *ibid.*, p. 25.

94. Around the 7th edition of the prestigious "Rendez-vous de l'histoire" (Blois, Oct. 16-19, 2003), Tariq Ramadan, falsely presented as a "Professor at the University of Friburg" (where he teaches a class a week whenever there is a course available!), was one of the participants in the "Forum du Monde de l'Education" organized and mediated by the journalist Nicolas Truong (member of the editorial board of the monthly publication) on the issue of "Communitarism: threat to the school?" (Oct. 17, 2003). Among the participants were Dominique Borne, Hanifa Cherifi and François Durpaire. This invitation represents a new index for the appeasement toward media Islamism. See Pierre-André Taguieff, *Prêcheurs de haine. Traversée de la judéophobie planétaire* (Paris: Mille et une nuits, 2004), Épilogue, II.

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Ramadan is neither a college professor, nor a reformist[95]), as follows.

"The answer to the communitarization of young Muslims can be educational: programs integrating their history better, parents more involved, rejection of victimization and of denominational ghetto. . . . Tariq Ramadan, professor at the Fribourg University, pleads for a reform." The first question asked of the expert allows him to pose as a doctor of civilization. "Are we witnessing a communitarist trend in French society in general, and among young Muslims in particular?" Ramadan's answer: "In the field, I indeed observe such a withdrawal process. This confinement is especially the case of many French of immigrant origin and/or of Muslim denomination, who retreat in certain areas of the country: suburbs, projects and other neighborhoods, some of which have become lawless zones." After this acknowledgement of the problem in order to prove that he is indeed capable of an "enlightened opinion," Ramadan moves on immediately by returning the anti-communitarist argument against the host society, and by blurring the sense of the word "communitarism," using it in different contexts. "I am against the ethnic and cultural communitarism, but also against the economic communitarism, with its homes for the *petits-bourgeois* and its housing projects for the left-behind. I am also against the electoral communitarism, which consists, for the elected representatives, in going to the suburbs every five years to capture votes, only by allowing exotic-sounding names on their lists."[96] Such is the reasoning of the author of the now famous article listing and denouncing the "Jewish communitarist intellectuals," posted on the website Oumma.com on Oct. 3, 2003,[97] and then on one of the sites of the European Social Forum.

The anti-communitarist position can thus be reduced to a mode of

95. See Serge Raffy, "Le vrai visage de Tariq Ramadan," in *Le Nouvel Observateur* (Jan. 29-Feb. 4, 2004), pp. 64-71. Ramadan's pseudo-anti-communitarism resembles that of the geopolitical specialist Pascal Boniface, a declared enemy of Israel who stigmatizes the "communitarism" of the Jews in France, or that of the "anti-Zionist" essayist Alain Soral. See William Goldnadel, "Les Juifs sont-ils au-dessus de toute critique?" (debate organized by Paul Wermus), http://www.vsd.fr. For the beginning of the Boniface affair, see Taguieff, *La Nouvelle Judéophobie*, *op. cit.*, pp. 196-197.

96. Ramadan: "Sortir du ghetto mental," *op. cit.*, p. 24. On this strategy of seduction aiming at leftist public, see Tariq Ramadan, "Le piège du communautarisme," in *Libération* (Jan. 14, 2004), p. 35.

97. Tariq Ramadan, "Critique des (nouveaux) intellectuels communautaires," posted online at oumma.com on Oct. 3, 2003, then by a "preparatory" site of the European Social Forum, before its publication in the weekly *Politis*. Three leaders of the Socialist Party have denounced the dubious insinuations of the Islamic preacher: "Mr. Ramadan cannot be one of us," in *Le Nouvel Observateur* (Oct. 23-29, 2003), p. 66. On that affair and its implications, see Taguieff, *Prêcheurs de haine*, *op. cit.*, epilog.

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self-legitimization, skillfully used by a communitarian Muslim intellectual and effective Islamic propagandist, as a rhetorical weapon against those whom he considers his enemies. The pseudo-anti-communitarism has spread to all the circles practicing selective anti-racism or even pseudo anti-racism. This relativizes the charges of "communitarism," and should incite to cautiousness when considering the positions taken by certain overt anti-communitarists.[98] Some other controversial uses of the word "communitarism" in France seem no less concerning when, in place of a legitimate critique of a communitarist grasp on individuals, claims of diabolic causality are made, demonizing the concept of community, socially observable communities and the communitarian phenomenon itself. There is thus a slide from a critique of communitarist exclusivism toward a condemnation of all community practices and sentiments. What is regrettable in this polemical reasoning is the absence of nuances and shades of reality, and the disproportionate denunciation and the confusion that could stem from it. Here is an example of this anti-communitarian radicalization *à la française*, legitimized by the national-republican tradition as well as by an exclusively individualistic interpretation of human rights. In his political essay entitled *The Democratic Regression* (1995), the historian of political ideas Alain-Gérard Slama devotes a long section, where eloquence rivals with virulence, to what he calls the "communitarist ideology"[99] and what should really be called a denunciation of the community under all its aspects. The second part of this four-part essay has an unambiguous title: "Community, that is the enemy!" This is how it begins:

"In April 1927, in Constantine, Albert Sarraut made his famous remark: 'Communism, that is the enemy!' Today, the danger has moved, its expressions and causes have changed. But as to its psychological mechanisms, it has fundamentally remained the same: the community, that is the enemy! As realistic as its goals of democratic participation and fraternity appear to be, the praise of the communitarian phenomenon is today's major ideological aberration."[100]

This categorical condemnation of the communitarian idea is purposely based on a political and intellectual commitment to what is called the

98. For a distinction between what is commonly called "Muslim communitarism" in France with the many problems posed by the "suburbs" and the Islamist offensive as it is conducted in France, see Gilles Kepel, *Les Banlieues de l'islam* (Paris: Le Seuil, 1987); and his *À l'ouest d'Allah*, *op. cit.*; Kaltenbach and Tribalat, *La République et l'islam*, *op. cit.*

99. Alain-Gérard Slama, *La régression démocratique* (Paris: Fayard, 1995), p. 51.

100. *Ibid.*

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French republican or national-republican model: "The genius of the French system of nation-state is to have granted rights only to individuals, and not to groups, whatever they might be – regardless of whether their community origin is corporatist, ideological, religious or ethnic."[101] The real question is whether the national state system *à la française* is still strong enough to integrate foreign populations of non-European cultures by pulverizing the original groups and by transforming the individuals into citizens. For the clarity of the argument, an unclear distinction between community links and communitarist demands seems to be counterproductive.

Another respected historian, Dominique Borne, in charge together with Yvon Robert of the commission created to "reassert the principles of republican secularism," after noticing that "this [communitarian] trend is a trend of the whole society whose echo chamber is the school," remarks: "Using the term of Shoah to designate the systematic extermination of European Jews is not appropriate. It is a communitarist term."[102] In order to fight communitarism, a certain number of political and administrative representatives innocently take the same path as those who proposed to regulate language use in order to fight racism at school. Well intentioned geneticists suggested, e.g., to ban the use of the word "race"[103]; today, to fight communitarism, some experts in education propose to ban (to students and *a forteriori* to teachers) the use of terms, considered "communitarist" or "communitarizing," such as "beurs," "feujs," "Shoah," or even "immigrant students" or "integration."[104] Is it necessary to point out that such repressive measures are a matter of "political correctness"? Above all, their efficiency remains quite doubtful. . . .

In many contexts, the term "communitarism" is used as a simple synonym of "sense of identity," "exclusivism," "tribalism," "differentialism," "racism." It is readily attributed many of the traits of these sulfurous "isms," as well as of some other concepts more or less well defined: ethnocentrism, xenophobia, ethnism. In a polemical essay entitled "The Communitarian Temptation" (2001), the journalist Joseph Mace-Scaron,

101. *Ibid.*, p. 54.

102. Dominique Borne, quoted in Truong, *Les racines de la violence*, *op. cit.*, pp. 21, 23.

103. See Taguieff, *Les Fins de l'antiracisme*, *op. cit.*, pp. 329-356.

104. See Truong, *Les racines de la violence*, *op. cit.*, p. 23. For a critique of the use of the word "integration," seen as "anachronistic" and "artificial," see Azouz Begag, *L'Intégration* (Paris: Le Cavalier Bleu, 2003), pp. 116-117. The magic uses of the word "integration" in the ideological-political discourse have in fact caused it to lose all conceptualizing function. The word was fashionable, and no longer is. It does not mean that it should be erased from French vocabulary! It suffices to redefine it.

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asserts for example that "communitarism accentuates our natural tendency to gather individuals under a same term," and proposes to define communitarism as "enhancing the value of minority culture to the detriment of our common humanity and, especially, as the will to have the community in question exert absolute and exclusive control on its members." Hence, it appears that "communitarism is a fatal identity."[105] This is a possible construction of the notion, a sort of ideological odd job, filling up an empty term: it includes characteristics of globalization (as a mental act), essentialism and stereotypes, as well as elements borrowed from the definition of ethnocentrism, a cultural sense of identity and all sorts of differentialization, without forgetting group authoritarianism and tribalism. Why not? Definitions are free when the meaning of words is neither sociologically determined, nor lexicologically classified. It is difficult however not to notice how arbitrary such operations are, when they do not come with a critical self-reflection about their limits. When a group ensures its internal cohesion by absolutizing its original identity (always more or less fictitious) and by designating one or several enemies, this group can be metaphorically characterized as a "tribe" or be described as following a "tribal" logic. One can also see here an illustration of "tribalism" or, better, "neo-tribalism," provided that those terms are precisely defined, as Marc Angenot does in his works on resentment.[106] One can indeed argue that resentment can change loss of meaning into withdrawal, fashioning the group as a tribe bound by its rejection of the enemy, which is likely to have several faces.

What matters from a republican perspective is to first deny the confinement and indoctrination implicated by "communitarism" in its first meaning, or the degradation of individuals submitted to an abusive communitarian power, and then try to build, on the basis of a community or a minority, some sort of "new feudality" in the national political space. Communitarism is at the same time confinement and thirst for power, abolition of the freedom of individuals and conflicting fragmentation of the political community. In order to denounce communitarism in this form, it is necessary to consider not only the viewpoint of liberal individualism (rejecting, with protection of individual liberties in mind, any fusion of individuals within the group, ethnic or not) but also the perspective of

105. Joseph Macé-Scaron, *La Tentation communautaire* (Paris: Plon, 2001), pp. 40-41.

106. Marc Angenot, *Les Idéologies du ressentiment* (Montréal: XYZ éditeur, 1996), esp. pp. 111-112.

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civic republicanism, which encourages the participation of the citizen in the definition and achievement of the common good as a superior form of political liberty (a "freedom to," and not only a "freedom from."[107])

VI. Community is Not Communitarism

It is true that contemporary disciples of Rousseau have always idealized "communities," sometimes with good reason, e.g., encouraging solidarity, participation, civic virtues, etc. Should they be de-idealized today, because of their negative aspects (e.g., group egoism, exclusion of outsiders, subjugation and denigration of individuals)? Should they be demonized? For that is exactly what happens by denouncing both "the emergence of communitarism" and the rediscovery of communitarian fact.[108] Who has forgotten Maxime Rodinson's article, "On the Communitarian Plague?"[109] If a national community consists of an irreducible sum of "communities" (local or minority), why keep demonizing or criminalizing those very communities, as long as they remain within the boundaries of the private sphere or the civil society? Let us reassert what should be obvious: community is not necessarily communitarism. It would be excessive to confuse the processes of rebirth or awakening, or even of invention or reinvention of "communities" with expressions of "communitarism" (in the strong sense of withdrawal of the group into itself, as well as cultural fundamentalism and exclusivism, or even racism or separatist national-racism). The community sentiment only threatens the democratic political community if it is exploited and used by ideological entrepreneurs in order to instigate a civil war or establish a dictatorship. While "community" belonging is not republican citizenship, because they cannot be substituted for each other, these can coexist harmoniously.

Within our universalistic perspective, it is necessary to believe in the

107. "Freedom from" refers to the "negative freedom" as defined by Isaiah Berlin in his important essay, "Deux conceptions de la liberté" (Oct. 1958), in Isaiah Berlin, *Éloge de la liberté* [1969], tr. by Jacqueline Carnaud and Jacqueline Lahana (Paris: Presses Pocket, 1990), pp. 167-218.

108. The essayist Alain Minc is trapped from time to time in this problem, esp. in his book *Épître à nos nouveaux maîtres* (Paris: Grasset, 2003). See also "Les épîtres d'Alain Minc" (collected by Olivier Boruchowitch), *Regards* 545 (May 6-19, 2003), pp. 16-17.

109. In *Le Monde* (Dec. 1, 1989) (reprinted in *Panoramiques* 29 (1997), then in *Cités*, in the series *L'Islam en France* (Paris: PUF, 2004), pp. 261-266, as "De la peste communautariste"). Maxime Rodinson warned with regard to the controversy on the Islamic *foulard*: "Those who dress differently should not be punished. But it is necessary to be vigilant toward communitarism. These are nationalisms that spread the plague everywhere." (*Op. cit.*, p. 265).

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possible birth of a new synthesis between Islam and the Republic,[110] as, despite the dark horizon of the era,[111] the successful Judeo-Republican synthesis suggests. Hoping is acting, in this case as in many others; it is taking action for the wishful to become possible.

It is necessary and sufficient that, beyond the sterile *face-à-face* between "majority" and "minorities," all citizens are willing to live together in a political community that is a "moral community,"[112] that they stick together and feel co-responsible in the nation as "community of destiny."[113] Relationships between community and communitarism are comparable to those between nation and nationalism: nationalist intolerance works similarly to communitarist intolerance but neither constitutes respectively essential (and necessary) elements of the nation and the community, of national belonging and community belonging. As Michael Ignatieff notes, teaching tolerance "consists in helping people perceive themselves as individuals, then to see others the same way: in other words making nationalist intolerance problematic."[114] Communitarist or nationalist, intolerance is based on "a mechanism of abstraction inside which real and genuine individuals, with all their specificity, are depersonalized and changed into beings of odious collective characteristics."[115]

Generally, a political community that grants its citizens internal concord exists neither only on the basis of the norms of liberal individualism, nor only on those of multiculturalism (or multi-communitarism). The republican model *à la française*, albeit shaken and weakened by multiple dysfunctions, is not "exhausted" to the extent that it should be totally rejected. It is not forbidden to rejuvenate it. It would mean standing aloof from those who, pretending that the "Jacobinist model" has gone a long way, propose to break with the republican tradition and create other ways of coexisting, not between citizens any more, but between "communities." The difficult question of the scope of inter-community coexistence arises,

110. See Mohamen Charfi, *Islam et liberté. Le malentendu historique* (Paris: Michel Albin, 1998). See also Abdelwahab Meddeb, *Face à l'islam*, interview with Philippe Petit (Paris: Textuel, 2004). On the integration of immigrant populations, see Hervé Flanquart, *Croyances et valeurs chez les jeunes Maghrébins* (Brussels: Editions Complexe, 2003).

111. See Taguieff, *La Nouvelle Judéophobie*, *op. cit.*, et *Prêcheurs de haine*, *op. cit.*; Shmuel Trigano, *La Démission de la République. Juifs et musulmans en France* (Paris: PUF, 2003); Raphaël Draï, *La France au crépuscule* (Paris: PUF, 2003).

112. This expression is from Michael Walzer. See his *Sphères de justice*, *op. cit.*

113. See Taguieff, *Résister au bougisme*, *op. cit.*

114. Michael Ignatieff, *The Warrior's Honor: Ethnic War and the Modern Consciousness* (New York: Metropolitan Books, 1998).

115. *Ibid.*

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immediately closed by the most naïvely optimistic supporters of the fatal transition to a post-national condition. Most realistic thinkers then recognize the threat of "balkanization" or "lebanonization." One of the looming paradoxes today is that professed opponents of "communitarianism," arguing for the irremediable exhaustion of the "Jacobinist republic," come to the conclusion that the multi-communitarist society is inevitable: a surreptitious comeback of fate, while history is in progress. Such is the position of the journalist Elizabeth Schemla, attached to secularism of republican tradition, hostile in principle to "communitarism," but who considers that the evolution toward communitarism is inescapable, because of the settling in France, like a new Trojan horse, of fundamentalist Muslim groups, recognized by the creation of the French Council of Muslim Cult, and deeply committed to "islamize France."[116] The ideological offensive of Islamic circles, taking advantage of the flaws of the republican system, has indeed encouraged community-based groupings and accentuated the disintegration of civic community. From such an undeniable diagnosis Elizabeth Schemla infers that fundamentalist Islam "has succeeded in provoking the definitive birth of communitarism, on a truly well-prepared ground," and clarifies her interpretation of the current process as follows: "There is no use hiding from the root problem posed by the evolution of French society towards an Anglo-Saxon model: each group will more and more take charge of its own interests, Jews as well as others, and will try to redirect the current power towards its own profit. This tendency is irreversible and it is obvious that the model is falling apart at the seams. Noticing the emerging of lobbies is anything but a thrill, especially for convinced republicans. On the contrary. Hence the imperious necessity to recall tirelessly the requirement, the very requirement of the ethics of individual and collective responsibility towards the nation."[117] What is sure is that in the French national state-controlled space, diverse and relatively autonomous communities establish themselves more and more strongly, according to a specific common denominator (same ethnic origin, same religion, same minority language, same gender, same sexual orientation, etc.). Moreover, some of these groups claim specific rights or protections, or rally in favor of "positive discrimination" measures. Some militants strive to include the request for measures of "affirmative action" into a "global policy of struggle against

116. Elisabeth Schemla, "Les Juifs, la République et l'antisémitisme," in *Le Figaro* (May 3, 2004), p. 13; available also at http://www.proche-orient.info.

117. *Ibid.*

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inequalities."[118] There is then a "communitarist" temptation in contemporary French society that, because advocated for on behalf of the principle of equality, and more precisely, equality of rights, comes with the request for a differentiated treatment of the groups supposedly discriminated. Hence the emerging theme of a "differentiated citizenship,"[119] the first implication of theoretical multiculturalism. The ideological acceptability of recognizing specific rights to national minorities seems to grow in France, at least among the elites.[120] France is getting closer then to multicultural societies like Great Britain, Canada or United States. But its republican tradition resists the institutionalization of extreme forms of "communitarism," such as when the state delegates some of its functions to institutions representing certain communities.

Yet, noticeable signs of communitarization should not be interpreted as symptoms of the near end of the republican system, doomed to disappear to the benefit of an "Anglo-Saxonization" of social relations. A communitarizing trend is indeed noticeable, its economic factors and reasons are very diverse, but this evolution is not necessarily irreversible. Believing it to be fatal would mean denying both the contingency of historical events and the role of human will in the course of history. History is neither the reign of necessity nor, *a fortiori*, the reign of fatality. That is why political action defines itself within an undetermined space, whose evolution is unpredictable. What can we reasonably want? How can we define our motives to act? It is about demystifying and fighting "communitarism" as a potentially conflictual mode of confinement, but without sinking into

118. Yazid Sabeg, president of CLE (Secular Convention for Equal Rights and Muslim participation in France) is an outspoken advocate for preferential treatment of the members of the discriminated minorities. See Yazid Sabeg, "La 'nouvelle frontière' de l'égalité," in UEJF, ed., *Les Enfants de la République*, *op. cit.*, pp. 185-202. He maintains that "the new border of equality is ahead of us," that it is the "border of ethnic visibility" and that "we have the means to cross it and the duty to do it" (*ibid.*, p. 201). Sabeg adds: "The revival of the republican ideal could follow from a differentiation of rights, from a 'justifiable discrimination'. . . . The state can and ought to derogate strict equality in treatment" (*ibid.*, p. 199).

119. The expression was coined by Iris Marion Young in a rather well-known article, "Polity and Group Difference: A Critique of the Ideal of Universal Citizenship," in *Ethics*, 99 (2), 1989, p. 258.

120. See, for example, the 2004 report by *Institut Montaigne*, a think-tank headed by Claude Bébéar, *Les oubliés de l'égalité des chances*. This report supports measures of "positive discrimination" in favor of "visible minorities" (i.e., immigrant populations from North African and Sub-Saharan African descent) in the fields of education, employment and housing. See also Eric Keslassy, *De la discrimination positive* (Rosny-sous-Bois: Éditions Bréal, 2004).

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anti-community fanatism. It is the path of firmness but not stiffness. By requiring a total freedom of critique of "communitarist" tendencies, and without demonizing the community dimension, one can deprive it of its fatalistic nature, change its sacred appearance, and set boundaries to it. Reflections on political order and cohesion within the national framework should not allow the two extreme positions, individualist-universalism and traditionalist-communitarism, the unresolvable conflict between which implies the alternative between the insular individual and the absolute community, both set in relation to the abstraction of state control.

The right path is the one that recognizes the necessity of "intermediary" or "secondary" groups, which allow social integration, as Durkheim noticed in a famous passage: "A society composed of an infinite dust of unorganized individuals, that an hypertrophied state struggles to keep and hold back, constitutes a true sociological monstrosity. . . . A nation can only maintain itself if, between the state and the individuals, emerges a series of secondary groups close enough to the individuals to attract them to their field of action and pull them into the flow of social life."[121]

The civic community is a community of destiny, that has historically taken the form of a "national unifier." As Régis Debray says, "federating is not denying preexisting cultural bonds, but unifying them under a vaster horizon, without disqualifying the older one."[122] That is why solidarity between citizens has historically taken the form of national solidarity, which has become, as Habermas noted (without at all celebrating it), a "second nature."[123] That is also why the creation of a "multicultural citizenship"[124] is perceived as a threat by most of the citizens of nation- states.

Meanwhile, there is another recurring utopia that needs to be reconsidered today because of its "reawakening" in the globalization context, the utopia of a world-wide State, allegedly guaranteeing the formation of a "cosmopolitan citizenship," which would give a content to the stoic

121. Emile Durkheim, *De la division du travail social* (Paris: Félix Alcan, 1893); preface to the second edition (Paris: Félix Alcan, 1902), pp. xxxii-xxxiii. See also Emile Durkheim, *Leçons de sociologie. Physique des mœurs et du droit* (Paris: PUF, 1950), esp. pp. 68-91. Of course, that calls for a definition of "secondary groups," that will go beyond that of the guilds.

122. Debray, *Ce que nous voile le voile*, *op. cit.*, p. 35.

123. Jürgen Habermas, *Après l'État-nation. Une nouvelle constellation politique* , tr. by Rainer Rochlitz (Paris: Fayard, 2000), p. 67.

124. See Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Oxford University Press, 1995). This is the most moderate "liberal" defense of cultural rights attributed to minorities.

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notion of "citizen of the world."[125] Hannah Arendt's arguments in *The Origins of Totalitarianism* have not lost any of their strength when it comes to this issue: "cosmopolitan citizenship" is a pure contradiction, in that the "right to have rights" can only be the right to "live in a structure where one is judged according to his acts and opinions," and is based on the "right to belong to a certain category of organized community."[126] A political order cannot apply to the whole humanity. Humanity is a moral and legal concept, not a political one. More precisely, as Arendt underlines in a 1957 article on Karl Jaspers, the first condition for citizenship and the "right to have rights" to appear is the belonging to a political community, necessarily specific and limited. "Nobody can be citizen of the world as he is citizen of his country. Political concepts are based on plurality, diversity and reciprocal limitations. A citizen is by definition a citizen among citizens of a country among countries. His rights and duties must be defined and limited, not only by his fellow citizens, but also by the frontiers of a territory. Philosophy can represent the Earth as homeland of mankind and of a unique, unwritten law, eternal and applicable to everyone. Politics deals with men, nationals of many countries and heirs of many pasts; its rules are the firmly established fences that close, protect and restrict the space within which freedom is not a concept but a living political reality. The establishment of a sovereign world order, far from being the prerequisite to a world citizenship, would be the end of all citizenship. It would not be the apogee of world politics, but very precisely its end."[127]

Against the perpetual temptation of sinking into opposite yet well defined excesses, and assuming it is possible to escape the bad infinite of endless fluctuations between ethnic differentialism and abstract cosmopolitanism, Gilles Bernheim, Elisabeth de Fontenay, Philippe de Lara, Alain Finkielkraut, Paul Thibaud and some others recently formulated their position in the conclusion of an important and controversial text: "The debate on communitarism would appear different, too, if, from the Jewish experience of meaning for others, one wagered that each group, each nation exists not only for itself but also as part of an exchange whose

125. See Peter Coulmas, *Les Citoyens du monde. Histoire du cosmopolitisme*, tr. by Jeanne Étoré (Paris: Albin Michel, 1995), esp. pp. 73-90.

126. Hannah Arendt, *The Origins of Totalitarianism*, ch. II: *Imperialism* (New York: Harcourt Brace Jovanovich, 1975), p. 296.

127. Hannah Arendt, "Karl Jaspers, Citizen of the World" (1957), in Hannah Arendt, *Men in Dark Times* (New York: Harcourt Brace Jovanovich, 1983), pp. 81-82.

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horizon is humanity."[128] Claude Lévi-Strauss underlined in an admirable passage in *Race and History* in 1952 both the universal nature of ethnocentrism and the late nature of the conceptual invention of "humanity," to conclude, paradoxically, that "the barbarian is first the man who believes in barbarism?"[129] In the beginning of this famous passage, less often quoted than the speculative jest about "the barbarian," he wrote: "This thinking attitude, on behalf of which 'savages' (or those we choose to consider to be such) are rejected out of humanity, is precisely the most striking and distinctive attitude of those very savages. We know indeed that the notion of humanity, encompassing, without any distinction of race or civilization, all forms of human species, appeared quite late and expanded little. Even where it seems to have reached its highest stage of development, it is not certain at all – as recent history proves – that it has settled out of reach of ambiguities and regressions."[130]

But if the notion of humanity seems to have been "totally missing" from most cultures, where it was ethnocentrically reduced to the belonging group, it remains for the moderns (post-moderns included) a fundamentally unachieved category, under construction, because of its constant need of being thought out against particularism and differentialism under their multiple forms (racism, ethnism, nationalism, communitarism, etc.). The path remains narrow: humanity ought to be thought of as a regulative idea or normative project, avoiding the double reef of superficial universalism – a sin of abstraction – and radical cultural relativism – a state of blindness by differences – two recurring temptations, yet impossible to eradicate without doing violence to human nature.

128. Gilles Bernheim *et al.*, "Les Juifs de France et la France, une confiance à rétablir," in *Le Monde* (Dec. 30, 2003), p. 11.

129. Claude Lévi-Strauss, *Race et Histoire* (Paris: Unesco, 1952). For a subtle critical analysis of this paradoxical conclusion, see Raymond Aron, "À propos de Claude Lévi-Strauss. Le paradoxe du même et de l'autre" (1968), in "Raymond Aron 1905-1983. Histoire et politique," in *Commentaire* 28-29 (February 1985), pp. 474-480.

130. *Ibid.*

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Liberalism, Tradition and Faith

James Kalb

We live in odd times. Rationalized insanity like political correctness ("PC") and "zero tolerance" shows a growing conflict between public standards and normal human understandings that makes common-sense judgments impossible. The same conflict has disordered activities that rely on formal standards, like education and scholarship, practices that express public ideals, like architecture, and institutions that depend on harmony between social standards and natural human tendencies, like the family. As a result, young people are badly instructed, scholarship is disconnected from normal experience, the built environment is ugly and alienating, and family life is chaotic and ill-tempered.

Why these things have to be so still remains unknown, but it is also not clear what to do about them, so people ignore them, deny them, or minimize their importance. The officially-approved approach is to recognize that society and values evolve, and to trust the experts to explain why everything is in order and how to get used to whatever changes come along. It is however doubtful that the experts should be trusted in this matter. When major institutions persistently act in a senseless way while praising themselves for unprecedented rationality, there is something wrong with the public philosophy, on which they rely.

Man the Measure and Liberalism

The contradictions in political and moral thought today are the contradictions of the view that things are as they appear to be — that man is the measure of all things. That view is immediately self-contradictory, since it seems to most that appearance and reality are quite different.

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Nonetheless, it has come to pervade the whole of life and thought. An obvious consequence has been a one-sided emphasis on personal feelings and arbitrary freedom at the expense of objectivity and public recognition of qualitative distinctions. A more subtle consequence has been the presumed omniscience of experts. Man-the-measure has become a rigorous and usable principle by the insistence on formal reasoning and close attention to immediate human experience, both of which require special training and expertise. The result is that the trained observer has become the real measure of things, beyond whom no appeal is possible. Man-the-measure has thus come paradoxically to mean that ordinary people, who are not experts, cannot trust their own perceptions and understandings.

The effects of making man the measure in such a way have differed in different settings. In the natural sciences they have mostly been beneficial. The critical tendency and the emphasis on human thought and activity have meant an emphasis on observation, measurement and model-building. Observation and measurement reduce things to simple units that can be completely grasped, while model-building eliminates the need to talk about anything but measured quantities and theories. Such procedures may not expose the whole truth about the world, but in physics and similar fields of study they have often been spectacularly successful.

In social and moral affairs, however, man-the-expert-observer is not usable as a final measure. Formal reasoning cannot tell what goods to pursue, and the complexity and subtlety of human phenomena make measurement, modeling and controlled verification mostly useless. Further, the attempt to reduce human realities to measurable appearances misses the most important things. When dealing with table salt, one does not lose much by ignoring what it may be in itself, and by talking instead about mathematical models and quantitative observations. The case is different when dealing with family and friends. Kantian morality, the social sciences, and the therapeutic approach to human life attempt to substitute formal reasoning, experimental findings, and successful mutual adjustment for concern with human beings as they are in themselves. Such efforts are fundamentally misconceived. Human affairs involve realities that cannot be controlled, experimented on, or reduced to artificial measures; they deal with things as they are, not as they appear.

But what are "things as they are"? The phrase seems to refer to a self-subsistent order of things that is altogether independent of one's experience. The critically-minded do not see how one could know something altogether independent of one's experience, since one knows things only

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as they become part of one's experience, so they want to restrict the applicability of the phrase as much as possible. If reducing others to one's own experience does not work, the way to go beyond experience, while recognizing as few things as possible that transcend it, is to recognize the experience of others in its otherness and treat it as its own measure. Measuring each by the standard of himself then yields the radically subjective view that a man's good is whatever he thinks good, so that giving each what he wants becomes the highest ethical and political aspiration. Such a view is widely accepted today, even though it has too little content to yield a reasonable ethics or politics, and it gives rise to a modern dilemma: if there are no standards other than how things seem to me and how things seem to you, the choice is between the imperialistic view that one is the measure of others and the utterly empty view that each is his own measure.

If those are the alternatives, the latter seems more humane. Advanced liberal society therefore pins its moral hopes on the view that the good is what seems good to each man. People are attracted to that view, because they believe it leaves the moral and spiritual world wide open for each to develop in his own way.[1] It seems to demystify ethical questions, establish freedom on a firm basis, hold out hope for the greatest possible wealth of human diversity, and make it possible for people to tolerate each other and to concentrate on the practical problems of living together rather than speculations as to ultimate goods.

Nonetheless, the attempt to make each man his own measure leads to tyranny. The need for government remains, but the search for a common standard becomes pointless, so arbitrary rule is the outcome. A free society discusses things, but if each man is the measure there is nothing of substance to discuss. The rule is simple and clear: give each what he wants, and all alternatives, no matter how good their arguments or numerous their adherents, are ruled out in advance as religious dogma or idiosyncratic private opinion with no place in public life. The only legitimate questions are technical issues regarding how to satisfy as many desires as possible while giving equal weight to each. Such technical issues are for experts and not for ordinary people. Besides, very few people are consistently willing to let man be the measure. Most cannot help but import standards that go beyond that into their understanding of life with others. It follows that for "man the measure" to prevail, the small group of those

1. See *Planned Parenthood v. Casey*, 505 U.S. 833, 851 (1992): "At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life."

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who truly accept it and are expert in applying it must rule the rest.

"Man the measure," which was intended to bring ethics down to earth and establish tolerance and inclusivity, thus turns out to be a transcendent principle interpreted and forced on the whole of life by a small elite. Further, the principle has too little content to decide particulars, so it becomes the interests of that elite that in fact determine government decisions. In the *Theaetetus*, Plato showed how "man the measure" contradicts itself theoretically. Modern life demonstrates that the contradiction is also practical. When made the highest standard, "man the measure" does not solve but creates and even exacerbates the problem of intolerant public claims of ultimate truth leading to ideological tyranny.

In an attempt to avoid such contradictions, it might be said that man is required to be the measure only for limited public purposes, and that in private life each of us is free to use any measure he chooses. Presumably, something of the sort is involved in the proposal that liberalism — the political manifestation of the view that man is the measure — be viewed as a "political conception" rather than a "comprehensive doctrine."[2] The dodge does not work. An ethical doctrine is not a personal taste. It is a teaching as to what to do and what to avoid. By their nature understandings of what is right and wrong, good and bad, claim to be part of reason and so to be public and authoritative. A purely private evaluation of some ethical point with no public implications is as nonsensical as a purely private understanding of good engineering practice. To say that to the extent it varies from the official "political conception" a "comprehensive doctrine" has no place in public life is to say that comprehensive doctrines cannot be taken seriously except to the extent they repeat public dogma.

As a practical matter, it means that private ethical doctrines must be suppressed. Man-the-measure leaves room for differences in taste but not in ethics. When accepted as a political conception, it becomes authoritative for the whole of public life. Since man is social, and most of the goods, with which he is concerned, depend on complex interactions with other people, man-the-measure greatly limits the legitimate presence of conceptions that reject it even in private life. The activities of the advanced liberal state compel that result. The state today educates the young, confers honor, disgrace and punishment, and intervenes to reform attitudes on things as close to home as relations between the sexes and the rearing of children. It spends a large part of the national income on things

2. See John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993).

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as value-laden as education and family support. As a state, it demands a loyalty that extends to life and death decisions. How can it act in an orderly and intelligent way with regard to such things without a comprehensive ethical stance?

In fact, everyone in advanced liberal society is pressured into acting as if he accepted unreservedly the official political doctrine and all its implications. What else is possible, when that doctrine is the basis of everything recognized as authoritative? The minuteness and comprehensiveness of the rationalized social controls available today make up for the comparative mildness of the sanctions they impose. If one believes that man is the measure, one can treat that as truth, speak out publicly in its favor, act on it in affairs that affect other people, and attempt to enforce it wherever possible. If one believes something else is more authoritative, one cannot. To reject man as the measure, i.e., to assert the superior authority of some transcendent truth in anything that matters practically, is to be excluded from the mainstream of public life, treated as a threat to social order, viewed as potentially violent,[3] and subjected to social, vocational, and on occasion (especially outside the US) criminal sanctions.[4] And in any case, saying "everyone is free to adopt whatever standard he wants" is just another way of saying "everyone is the measure." The phrasing changes nothing.

It seems paradoxical to claim that liberal society, reputedly so open and pluralistic, is in fact a closed ideological system with an extraordinary ability to disguise its own nature. It should be obvious, however, that there is no such thing as openness or pluralism in the comprehensive sense contemporary liberalism proposes. As a practical matter, to make man the measure is to make human desire, technology, and formal reason the ruling principles of morals and politics. Desire sets the goals, technology tells how to realize them, and formal reason keeps the system rational and coherent. Those principles can also be formulated as tolerance, efficiency, and equal justice. Tolerance is the equal authority of all desires, efficiency the adaptation of means to ends in fulfilling desire, and equal justice the uniform application of the other principles. All these principles can be summarized as "equal freedom": tolerance and efficiency together constitute freedom, i.e., the ability to satisfy one's desires, while equality is

3. The most extensively violent political doctrine has, of course, been Marxism, a view that is insistently man-centered and anti-transcendental.

4. A good example are "hate speech" prosecutions of the mere expression of negative religious judgments on homosexuality or Islam.

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the requirement that desires be treated and principles applied consistently.

The recognized means in liberal society for putting equal freedom into effect are free agreement, representative democracy, and rational administration within a universal legal regime that makes equal freedom an overriding enforceable standard. Markets, the contractual arrangements of civil society, parliaments, and state and transnational bureaucracies, all under the supervision of courts armed with human rights charters, are thus today's characteristic institutions. Those institutions accept that man is the measure, and that each man is equally the measure (assuming the Rawlsian requirement that differences in wealth and status benefit the least well off). Therefore family, ethnic ties and religion, which are based on standards other than giving everyone what he wants as equally as possible, are abolished as public institutions, assimilated to contract and personal taste, and, when not suppressed as intrinsically dangerous to equal freedom, made wholly private and voluntary.

Liberal rationalism requires that the principles governing public life be derived in a formally correct and publicly verifiable manner, as either *a priori* demands like equality, or facts backed by certifiable expertise. The alternative would be to follow personal biases, which — especially when held by the majority — would oppress those who do not share them. The result is that the officials who determine the facts and principles that count as neutral have the final say on everything. To achieve consistency of principle, liberal institutions are thus arranged hierarchically, with experts at the top and the people at the bottom. Bureaucrats and judges decide matters of principle, develop them into ever more detailed specifications for all aspects of social life, and leave only non-political and ethically indifferent matters (like the specifics of economic initiatives and public and private consumption choices) to popular and participatory institutions.

Liberalism thus leads to a guardian state. The justifications presented for the guardian state are scientism and "tolerance." Scientism is the view that formalized procedures carried out by professionals are the only legitimate source of knowledge. Experts should decide all public issues, and to disagree is simply to take the side of ignorance. The people, whose knowledge is not formalized, have no legitimate role in public life other than to support the established order, and when relevant to make their preferences known. Since there are experts who study everything, even popular preferences, in the end scientism implies that the actual participation of ordinary people should count for nothing in public life. It is window dressing that should not be allowed to affect anything important.

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Tolerance, in the PC sense now demanded, requires that since substantive value falls outside neutral expert knowledge, and is therefore simply subjective, every opinion regarding it must be equally respected and none permitted to dominate the others. The effect is that all views regarding substantive value must be kept powerless, and therefore completely private. To allow any of them publicity, and, thus, possible influence, would unjustly burden other equally valid views. The advanced liberal state therefore feels compelled to silence everyone who might speak out about moral issues except experts, committed liberals, and those whose speech undermines traditional understandings of the good that must be suppressed because they pretend to public validity. Indeed, PC tolerance views dissent from the liberal state as oppressive in itself, because simply by existing it creates a social environment unfavorable to some people and ways of life.

The two ideologies complement each other. PC tolerance supports scientism by emphasizing the unreliability of ordinary understandings and the need to rely on neutral expertise. Scientism confirms PC tolerance by debunking tradition and positive religion, and by asserting that all legitimate truth supports PC, bypassing ordinary standards of scientific inquiry if needed to do so. Both support the claim of liberalism to be "transparent" — to eliminate the distortions introduced by irrationality or special pleading into the process, through which desires attain to equal satisfaction by portraying the essence of the liberal state not as power but as neutral expertise and protection of the weak against aggression.[5]

The spheres of social life that scientism and PC leave open to the people at large are careerism and consumerism. Careerism defines individuals in terms of their position in the universal rational system of production, consumption and governance established by managerial liberalism. Career thus becomes an ultimate ethical category. Since recognized social position makes individuals what they are, competing values like love, loyalty and integrity come to seem sentimental fantasies or even pathologies. Discussions of women's roles make the established careerist view particularly clear: to be a housewife and mother is to be self-indulgent or oppressed, to be useless, to be nothing.

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5. In fact, "transparency" is an attempt to deny power its power by making it invisible. Liberalism is therefore unable to recognize political correctness or scientism as substantive ideologies. To do so would admit that liberalism is not the neutral realization of human rights but a substantive engine of power, an admission that would destroy the basis of its claim to rule.

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Consumerism treats all choices that the system provides as equally and interchangeably valid. It, too, becomes an ultimate ethical category: I shop, therefore I am. Lack of customary consumer goods becomes a deprivation of personal dignity. Understandings of personal morality, and the basic commitments and personal connections that formerly defined who someone is, become "alternate lifestyle options," and, thus, consumer goods like any other.

To exclude anything from the way of life justified by PC and scientism and fleshed out in personal life by careerism and consumerism would be to violate tolerance and equal freedom by giving some person, status or goal a special position. Even religion, to be legitimate, must accept PC and scientism and reform itself so that it simply restates established consumerist and careerist values. It must therefore understand itself as an optional consumer good. Its public face and authoritative principles must be decided by experts and emphasize tolerance, inclusion and equality. Anything more concrete and particular must remain purely private. In particular, no religion can claim superiority over any other religion or over irreligion.

In concept, the absolutely private falls outside the scope of the demands of liberal neutrality. That exclusion is extremely important because it is central to the claim that liberalism is not an oppressive system of power but a system of mutual social accommodation that is uniquely legitimate precisely because it leaves the self free and untouched. It is unclear, however, why liberal protection of the strictly private is so crucial, when modern government is so pervasive, human life and even meaning have such a strong interpersonal aspect, and no government can touch the absolutely private in any event.

Advanced liberal society can be evaluated from a number of perspectives. It may focus discussion to concentrate on functional aspects. Managerial liberalism has been notably effective as a form of social organization. Its success in establishing a generally peaceful social order, however, is largely built on obfuscation that deprives opposition of any definable target. Advanced liberalism maintains the appearance of complete freedom while deciding all significant questions without regard to public participation. Scientism and political correctness, enforced by the professionalization of knowledge and social life in general, define rationality and fairness in a way that either determines all serious issues in advance, or hands them over to experts and other functionaries. The real freedoms granted are strictly private and relate to career, consumption, and private indulgence. Advanced liberalism can grant those freedoms

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generously, and indeed make them almost absolute, because they have been deprived of public significance and support the established system by keeping the people safely occupied.

Liberalism thus succeeds in large part by making conflicts seem to disappear. That is the basis of its success but also its fatal flaw. Conflict that is obfuscated cannot be dealt with rationally, i.e., in an orderly way in accordance with principles intended to be public and of general applicability. Men organize their lives individually and socially by recognizing goods that precede personal desire and to some extent are independent of it. By doing so, they recognize a common moral world within which thought and discussion can bring conflicting impulses into order. Liberalism destroys the possibility of such a common moral world. It cannot recognize goods that precede desire, and so cannot put conflicts in a setting that permits them to be dealt with on their relative merits. It treats them as either absolute or unreal, and attempts to resolve them, when they cannot be bought off, mainly by ruling one side out of order.

That approach cannot often yield definite results without cheating. It is not particularly persuasive to say that protecting unborn babies and prohibiting sodomy violates human dignity, while protecting baby seals and prohibiting smoking promotes it. The basic problem for liberalism is that if every man is the measure, it cannot be right to tell him what to do. The attempt to get around that problem inevitably leads to irrationality and unprincipled conduct. To make things worse, making man the measure rules out any principle of moderation or common sense. Such principles require recognition of human limitations, but if man is the measure then in concept there can be no standard in relation to which limitations might exist. In any event, common sense is a matter of settled popular preconceptions, "prejudices and stereotypes," that liberalism treats as irrational — and therefore oppressive — because there is no clear rational procedure behind them.

Liberal society tries to minimize the problems, with which it cannot deal, by reducing the conflicts implicit in social life as much as possible. It promotes prosperity, tries to equalize the satisfactions of different people, and insists that goals are illegitimate if they do not give other goals equal respect, in particular, if they involve changing or discrediting the goals of others. Such expedients cannot be relied upon. Prosperity and social protections sometimes fail, because the world does not obey human will. Further, the attempt to maximize aggregate satisfactions runs into insoluble problems because satisfactions of different people cannot be

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measured and compared. How can such difficulties of comparison and weighing possibly be resolved except arbitrarily, by imposing the preferences of those in power?

Because man is social, the goals that matter most require the participation of others, and so normally require changing what others want. If John loves Mary, he will want to persuade Mary to love him. More generally, some people will be happier if traditional marriage is given special honor, others — if homosexual connections are approved equally. Both groups proselytize and try to bring social attitudes and institutions into line with their understanding of how things should be. The liberal tendency is to say that proselytizing and even compulsory re-education is right when the goal is to make others more "tolerant" — whatever that ends up meaning — but not otherwise. It is not clear why an attempt to root out anti-PC values is less violent than an attempt to root out anti-Islamic values, for example. However that may be, liberalism allows public legitimacy only to efforts to influence others that favor the liberal conception of tolerance. If those efforts succeeded completely, people would care only about equality and self-centered satisfactions that do not require others to give of themselves. Things as basic as love and loyalty would be ruled out. A fully liberal society would thus be altogether inhuman.

Since liberalism cannot deal with conflicts reasonably, has no principle of moderation or common sense, and points toward a form of society radically at odds with human nature, it is doomed. Its final triumph destroys it by depriving it of any opposing principle that could keep it sane and compensate for what it lacks. When it becomes the sole governing principle, it insists that nothing should limit abstract freedom except other abstractions like equality and public order. Such abstractions cannot be balanced against each other. To avoid incoherence one of them must be made in effect the sole standard and the others reinterpreted so they no longer offer resistance. The result is monomania, either of freedom, of equality, or of bureaucratic control. Liberalism ends in the comprehensive denial of its original stated goals of modesty, restraint and reason based on taking man as the measure.[6]

Tradition and the Good

But if liberalism is inadequate as a basis for social and political life,

6. The self-contradictory nature of advanced liberalism is apparent in the oddities around: rigidly uniform diversity, totally administered freedom, radically elitist equality, bigoted tolerance, discriminatory anti-discrimination, sordid idealism, immoral moralism, mindless expertise, dogmatic agnosticism, compulsory established rebellion, and mainstream extremism.

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what is the rational alternative? The question comes down to the problem of the social and political good. To say something is good is to say it is a reasonable goal, one worth choosing after consideration of what it is and the relevant circumstances. Everyone agrees that some goals are better — more reasonable and worth choosing — than others, but they have different opinions what those are. That state of affairs leads to disputes. Liberalism hopes to keep the disputes from disturbing public life, and thus eliminate much of the need for politics and power, by eliminating the question of the good and making government a system for advancing the goals of each man equally.

Liberalism fails because its goals are unattainable. First, to treat all intentions equally is in effect to decide how good each is — each is as good as every other. A decision to favor things equally still implies a view on how far each is worth favoring. Further, it is not possible to favor everything equally, if only because goals conflict and exclude each other. A scheme of action that affects life as comprehensively as modern government can hardly avoid preferring some goals to others and judging that the ones preferred make more sense and are thus better. To claim that government should avoid taking a position on such things is either to embrace political irrationalism — the view that people should live together socially in certain ways with no idea why — or to impose the authority of certain goods while denying doing so.

Government inevitably makes decisions as to good and bad, and its decisions condition and influence private life. While public and private differ, they cannot be strictly separated. To say that a standard of what is reasonable and hence good is a public standard amounts to saying that it pre-empts private standards and in case of conflict suppresses them. That effect spills over into every aspect of life, even the most private. Since man is social, his connections to others touch every part of what he is and what he does in complex and pervasive ways. The extent to which public standards emphasize hierarchy or equality, for example, affects the principles, to which one can appeal in daily dealings with others, and thus determines much of the order of private life and what goods can be realized within it.

It follows that public standards of right and wrong should be accepted only if they make sense in their general application. The effect of the attempt to avoid the question of the good is that liberalism treats the satisfaction of preferences simply as such as the ultimate good. Such a position does not make sense as a moral standard, because in an important sense it makes every consciously-chosen action equally reasonable. Simply by

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being consciously chosen the action brings about a preference and therefore a good. If the choice is equally a choice, the preference and good are equally a preference and good. Since it is choice itself that makes something good, one does not choose things for their goodness but simply because one chooses them. Choices thus become arbitrary, and human actions essentially non-rational. On such a view, the rational component of morality is reduced to the therapeutic task of clarifying choices and the technical task of securing their satisfaction efficiently and equally. Such a result is deeply inconsistent with the way people actually deliberate about action. It is the outlook of a psychopath and not a normal human being.

But if that is so, how can a standard that is better than man-the-measure be determined? The intellectual presuppositions of liberal society make that a very difficult question. Those presuppositions lead men to consider propositions rational if they are purely formal, like mathematical truths, immediately obvious, like elementary logical principles and reports of sense perception, or verifiable in accordance with settled public procedures that have been found reliable, like the results of the natural sciences. In such cases people think they have a reliable grasp of the proposition and its basis, and so feel justified in recognizing its authority. Nothing of the sort seems possible in the case of ultimate standards of evaluation. People disagree on them, so it seems they are not immediately obvious. Further, there is no well-defined procedure for determining what they are. Standards precede judgment, so any procedure for judging has to be based on an understanding of the good already accepted, at least implicitly. Ultimate goods are recognized rather than determined through a procedure.

It is understandable that liberals want to avoid reliance on ultimate goods. Liberals like to define, discuss and demonstrate, and that is very difficult in this connection. It has always been recognized that there is something elusive about ultimate goods.[7] That elusiveness is essential to what they are. To state a good fully or demonstrate it subordinates it to the thing that defines or proves it, and so shows it to be secondary. But a secondary good can always be pre-empted by some other good and cannot serve as a final measure of conduct. Ultimate goods are thus paradoxical. We need to resolve conflicts and decide questions rationally but we cannot fully know them. To choose anything over them would betray them, but to attempt to demonstrate them or define too comprehensively what

7. See Plato on the Good (e.g., *Analects*, Bk. V, ch. 18, and the myth of the cave, *Republic*, Bk. VII), Confucius' *Tao Te Ching*, and Paul's "through a glass darkly" (I Corinthians 13:12).

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they are would compromise their ultimacy.

To approach the matter from another direction, recognition of the highest goods is a pre-political and in a sense pre-rational act, because it is part of what constitutes politics, rationality, and even personal identity. We cannot stand aside from something so basic, grasp it from outside, and bring it in line with our preconceptions and goals. The independent liberal ego that chooses its values is a misleading fiction. The necessity of ultimate goods, and their transcendence of all understandings, show once again that man cannot be understood as the measure. The measure is something necessary but which cannot be completely known, if only because it measures one's knowledge along with everything else. It is that situation that makes humility, faith, and consciousness of sin lasting aspects of human life.

The impossibility of defining ultimate goods is in fact the most impressive argument for the liberal belief that freedom should be the goal of social order. Any goal that can be fully stated seems limiting, oppressive and mindless when treated as ultimate. A society that believes in human dignity and rationality, and insists on defining all goals explicitly and comprehensively, is therefore likely to adopt liberalism as its governing philosophy.

It is mistaken if it does so. The attempt to make ultimate principles of government fully explicit always ends in bullying and obscurantism, because it soon becomes obvious that stated principles can conflict with what is ultimately good. Fascist and communist societies, which explicitly make some definite this-worldly thing the ultimate measure, are obvious examples. Theocracies also become tyrannical by attempting to reduce the transcendent too much to a specific set of prescriptions applicable here and now. And in the end liberal societies become tyrannical as well, because to define freedom as the ultimate standard is still to define a final standard that is concrete, this-worldly and capable of being fully specified. A state based on a final standard with those qualities will eventually feel compelled to force the standard on everyone and silence objectors: since the standard is perfectly clear, why do otherwise? The resulting collapse into tyranny is slower than in the case of fascism or theocracy, because the goal is stated in a negative and formal way and the oppressive consequences of taking something fully articulable and therefore limited as a final standard take longer to develop. The collapse is nonetheless certain.

Liberalism, therefore, is not self-supporting. Even to secure legitimate liberal goals like political and personal freedom government must recognize standards that transcend such goals, because without such standards government and its goals become absolutes and even freedom is

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interpreted in such a way as to become tyrannical. The natural way in which transcendent standards become concrete and usable is the development of tradition. Although ultimate principles cannot be clearly stated, people can recognize them in part and in specific cases, act on them, and come to know them better through experience. The goods people recognize then become encoded in habits and attitudes that seem good, to which they attach themselves, and which shape their life. The intangible and ultimate thus becomes concrete and usable.

Traditions are of course of many kinds. Family dinner at 6 is a tradition; so are representative government and Christianity. It might also be a tradition for a family to combine the three by saying grace before dinner and then arguing politics over the meatloaf. Each tradition matters, but in a different way and to a different degree. The deeper, stronger, more widespread and durable the recognition of the goodness of some practice, attitude or belief the more settled it becomes as a tradition. The practical demands of life and conflicts among particular traditions force us to bring them, and thus the goods to which they relate, into a system that distinguishes greater and lesser and enables each to contribute to the others. The overall tradition that people follow, i.e., the crystallized experience of the society to which they belong thus comes to embody the ordered understanding of the highest good that is at the base of the common life.

That process depends, of course, to the extent of the attachment to the reasonable and the good. Since discussing ethics is pointless without such an attachment, it is assumed in such discussions, and it is reasonable to expect that it will grow up the normal way, by the accumulation of good habits through experience. A society without such an attachment will not last long in any event. Acceptance of tradition is a counsel of moral realism growing out of experience of life: good and evil are real; one cannot get by without knowing something about them; there is more to them than one can easily understand; some may see them more clearly than others do; if a habit or perspective is enduringly found good, it is most likely because of the truth in it; and one is unlikely to become good unless one absorb good habits from those around him.

Tradition is comprehensively intertwined with most basic concerns. It has an intimate connection to religion because it is the natural way to know the transcendent and ineffable. Tradition and religion depend on each other. Tradition depends on a fundamentally religious trust in something outside human control, while religion depends on a willingness to accept what is passed down, even though it is not fully comprehensible.

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Attempts to rationalize religion, to make it a matter of expertise, bureaucracy, formalized training and this-worldly concerns, destroy it.

Politics also have a necessary and close connection to tradition. The traditions of a community form the general order of its life, and politics are the interplay between that order and public decisions backed by force. Government acceptance of social tradition, including religious and ethical tradition, is necessary for political freedom and self-government. To be capable of self-government, a community must have a common mind adequate to its common life. The common mind of a community is constituted by its tradition, and to ignore that common mind is to deny self-government. Government is thus popular only to the extent it accepts as authoritative the traditions of the people and the goods, with which they are concerned.

Politics and religion are thus necessarily connected. The dream of a rationalized politics purified of all particular traditions and goods is chimerical. Man, social life and government are so entangled that it is difficult to think of any human good the actions of government do not affect. Both government and religion deal with fundamental human concerns in far-reaching ways, and each must take into account the goods for which the other is chiefly responsible. The traditions that government must heed thus include religious traditions. Institutional separation of Church and State is possible and often beneficial, but a "wall of separation" between government and religion is not, any more than between government and physics or government and morality. Where one is claimed, it should be recognized as a screen for the imposition by those in power of a scheme of attitudes, loyalties and beliefs functioning as a religion that they are reluctant to defend explicitly.

Respect for tradition does not, of course, require government to pursue directly all the goods to which tradition points. The functions of the organized force that is government are limited, and there are many goods that it cannot do much directly to promote. Nonetheless, in its actions government should take into account all available sources of understanding. Government acceptance of religious tradition, when religious concerns are relevant to its activities — as, for example, in connection with education and standards of morality and public order — does not oppress people spiritually any more than acceptance of a particular understanding of economics oppresses them financially. Issues relevant to action must be settled somehow, and the alternative to accepting tradition is accepting some other source of guidance. What other source of guidance in ultimate matters is so much less oppressive than tradition? Neutral expertise, on a

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subject regarding which expertise as conceived today can decide very little? The pretense of an impossible neutrality that finds itself forced to smuggle in, without discussion, answers to ultimate questions?

Tradition, in fact, is a decentralizing and anti-tyrannical principle. It demands substantial local and individual freedom, and recognizes that not everything can be decided explicitly or controlled hierarchically. It tells officials to look to something other than personal and party views. In any case, tradition is at least as able as other sources of guidance to value human dignity and take into account prudential restrictions on government power. Indeed, how is institutional prudence possible without the accumulated experience and sense of things difficult to articulate that is socially available only through tradition?

A common objection to accepting the authority of tradition is that traditions are sometimes wrong. That of course is so, but the same is true of other possible authorities, including personal judgment and expert consensus. Another is that assertions of traditional authority often mask self-interest. That objection applies equally to any assertion of authority, or for that matter of freedom and equal rights. Tradition no doubt favors traditional elites, but other possible social authorities — money, government regulators, revolutionary vanguards, TV personalities, therapists, diversity consultants, the sovereign consumer — also favor particular persons and classes and present their own dangers of abuse. Compared with other authorities tradition has obvious advantages, especially with regard to the risk of tyranny, corruption and general mindlessness. It is independent of particular persons. It exists through the enduring tacit consent of those involved. And it takes into account all considerations people feel to be relevant, even those difficult or impossible to articulate. It may not be perfect, but it has peculiar strengths that make it rightfully indispensable and authoritative.

A consequence of this need for tradition to make goods that exceed understanding available is a need for particularity. Because tradition has to do with what cannot be stated, it is concrete and therefore particular. It grows up and is passed on mostly through personal contacts. For that reason moral life has a necessary element of loyalty to the particular society, and to the community and the connections within it. It is normally in the first instance through accepting the traditions and institutions that one goes beyond self-centered desires, learns to be social, and participates in the common goods that shape the individual. The loyalty to such things rightfully becomes part of what one understands oneself to be.

Such loyalties are not fully universalizable. One knows what one is in

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part by contrast with what one is not. While one owes something to all men simply because of one's humanity, pure generalized solidarity is too vague in its demands to establish moral order. A "universal nation" could exist if liberal universalism were an adequate social philosophy, or if there were a *Shari'ah* that could adequately capture the transcendent. Neither condition holds. Nor are particularistic loyalties absolute. The universal element in them cannot be fully grasped, but must somehow in the end take precedence. When our loyalty to Brooklyn conflicts with our loyalty to truth or the human race, it is the former that on the whole should give way, even though when and how it does so cannot be stated categorically but must be left to tradition and a judgment of the particular case.

The particularity of tradition gives concrete form to the principle that tradition is binding but not in general absolute. To give substance to a final orientation toward something beyond our society and thus beyond its traditions, our loyalty to society must have at least a residual element of contingency and choice. The social order should reflect the absolute, but not be mistaken for it. Our grasp of the good and true is social and traditional, but also rational and personal. The need for an element of voluntary personal commitment to something partly arbitrary is an enduring element of truth in such notions as the social contract and religious freedom. It is also the reason why tradition must be complex. To avoid national self-worship, a national tradition must have local and class variations and rivalries. Similarly, a religious tradition should not have the appearance of something altogether complete, self-contained and universal. It should have local cults, rites and devotions, a choice of personal observances, and a history of development to make it evident that there is no single form that fully captures the reality toward which it points.

Traditionalism — the recognition that tradition has its own authority and is not just a set of suggestions to be judged rationally on other grounds — thus has a somewhat incomplete and pluralistic aspect. It is more concerned with truth, however attained and however expressed, than with formal justification, and so gives up on the modern dream of a purified scientific procedure applicable to everything and giving rise to universal formulae for all knowable truth. It accepts that knowledge is possible with regard to things that do not lend themselves to the methods of the modern natural sciences, if not through orderly observation and deduction then through something like Pascal's *esprit de finesse* or Newman's illative sense, through the coming into focus of intangible realities through the concurrence of innumerable considerations that cannot be individually

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picked out and may be known directly only to the previous generations.

Both tradition and reason are necessary authorities in any activity that is at all complex and comprehensive. Neither is adequate by itself to human life. Nor can either be subordinated to the other, if only because they help constitute each other. Reason requires the aid of concepts, connections and judgments provided by tradition, while the development and comprehension of tradition make use of rational ordering and insight. A rational traditionalist therefore accepts both tradition and reason as basic to what he is, knows and does. What distinguishes his position from that of the irrationalist or anti-traditionalist is that he is willing to criticize and adjust his beliefs, loyalties and way of life as necessary so his acceptance of both makes sense. An intelligent commitment to a life ordered by reference to what is good, reasonable and true demands that willingness. The commitment of a liberal modernist to human will and formal reason as sole authorities, for example, makes it impossible for him consistently to accept the authority of tradition. Nonetheless, even to be a liberal or a modernist, he must accept certain traditions as authoritative. If he sees the conflict and wants to make his outlook more coherent, he will reorient himself toward an understanding of reason broad enough to justify reliance on tradition. He will, in short, become a traditionalist.

Some obvious alternatives to rational traditionalism help, in fact, explain it: simple rationalism, simple conservatism, and postmodern irony.

1. Simple rationalism is the view that tradition is extrinsic to the individual's grasp of the good and the true, because those things, to the extent that they can be known at all, can be known by purely rational means. The simple rationalist therefore believes it possible, at least in principle, to dispense with tradition. The traditionalist objection, of course, is that human reason is not a self-contained system. Reason must be traditionalist to be reasonable, or indeed useful. More specifically, reason depends on tradition for the concepts it applies and for basic understandings and orientations that cannot be demonstrated or even articulated. It cannot stand by itself.

2. The intellectual failure of simple rationalism has become widely recognized in recent years, so that today it is less a theory than a widespread habitual attitude. The simple conservative response to its failure is to accept whatever practices and attitudes have grown up and become authoritative in one's environment. Simple conservatism thus rejects reason as a standard in favor of pure social fact — of tradition treated as something self-contained and absolute.

While rational traditionalists of course join in the preference for what

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has grown up and become accepted, they believe that tradition and reason must come into mutual relations and so support and limit each other. In particular, they reject traditions that are radically incoherent or at odds with observable truth and the permanent needs of human thought. The difference is illustrated by attitudes toward liberalism. Once liberalism has become socially authoritative simple conservatism cannot help but accept it, simply because it is established, while rational traditionalism continues to reject it, because it is incoherent and at odds with the needs of thought.

3. The postmodern ironist realizes — like the conservative — the importance of tradition, but hangs on to the rationalist view that total transparency and certainty are necessary for knowledge. He therefore rejects tradition as a road to truth, because it is contingent and bound up in particular perspectives. At bottom, he believes that none of the shared beliefs are justifiable, and attempts to hold his own beliefs "ironically," i.e., at arm's length.

While traditionalists agree that absolute explicit proof is not available, they nonetheless accept that we necessarily accept our own beliefs, and find it pointless to deny that we are justified in doing so. They therefore try to understand how what we necessarily understand as justified and true can rationally be seen as such, in spite of its dependence on particular tradition. All traditions, like all languages, have a great deal in common, but they do differ. What distinguishes the rational traditionalist is the effort to understand how he is justified in doing what he necessarily does — accept his own tradition and understandings as true.

Faith and the Church

Tradition always points to something beyond itself and beyond all evidence. It follows that acceptance of one's own tradition, indispensable for knowledge, involves faith. Just as institutions, and even reason, depend on the complex of memories, understandings and habits that constitutes tradition, tradition depends on its connection to a larger order of which it is part and to which it responds. Since man does not make himself, and is only a small part of the world in which he lives, that order cannot be reduced to human things.

Man is not the measure collectively any more than individually. To say that man is not the measure is to say that the things with which he is concerned are not fully captured by his experience and logic. By themselves, the latter cannot tell us that the experience of other people is qualitatively like our own, or even that anything exists independently of us

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and our thoughts. In order to understand basic features of the world, we have to trust things that go beyond what we can perceive or demonstrate. None of us can abandon that trust without abandoning thought and life. In the end there are no sceptics.

That everyday kind of faith is not foreign to reason, experience or tradition, because those things depend on it. Reason cannot demonstrate the conditions of its functioning: the validity of first principles, the trustworthiness of perception, the coherence of memory, the reliability of the linguistic and cultural setting, which reason needs to operate. To trust reason is to trust those things, and to trust experience is to trust both our perceptions and the reasoning that enables us to sort them out and come to grips with them. Nor is tradition simply something constructed. Because it is necessary, it comes with an authority that goes beyond anything we can fully explain. Our confidence in it is based on faith that it is not random or arbitrary but revelatory, that through it the bits, pieces and glimmerings that are immediately available to us have grown into attitudes, practices and symbols that show how things are and make truths available to us that we cannot attain directly.

To some extent our trust in knowledge that cannot be demonstrated — which in the long run includes all knowledge because of the mutual dependence of things — is justified by the assumption that our species, society and traditions of knowledge would not have lasted as long as they have unless they were in touch with reality. However, not all our knowledge can be justified by the Darwinian standard of past promotion of reproduction and survival. Our knowledge is not limited to survival needs. It reflects our orientation and interests, which are not limited to reproduction and survival, and are sometimes at odds with them. Furthermore it is discontinuous with the knowledge of the lower animals, and thus with evolutionary history.

In its extreme forms Darwinian thought purports to give a simple and self-contained explanation of everything: what exists is what has arisen by chance and thereafter survived. Whatever seems to fall outside the closed circle of mechanistic explanation, like consciousness, it denies, tries to explain away, or simply refuses to discuss. It would show a lack of good sense to accept, at least without better arguments than seem to be available, a view that combines such extreme ambition with such conceptual and ontological minimalism. And in any event, to say that something has been helpful to survival is not to explain what it is, why it works, or how it can be justified.

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While knowledge has its uses, and usefulness is a sign of truth, the true and the useful are not the same. Knowledge needs to go beyond usefulness, if only because we can understand things by reference to their use only within a world we already know. Accepting tradition is not simply accepting what has endured in the absence of better grounds for making practical decisions. It is adopting an understanding of the world that is useful because it is true, not true because it is useful. Some have suggested that modern natural science, which for many sets the standard of knowledge, is simply a collection of models and methods of prediction that have been found helpful. The suggestion does not survive questioning. Is it true that scientific models and predictions have been found useful, and that our experience of their usefulness is a good guide to the future? If so, science gets its importance because it is part of a larger system of knowledge. If not, we have no reason to bother with it.

Men build their lives in relation to settled points of reference that cannot be reduced to their own thoughts and experiences. Otherwise, they could not be rational, since it is part of rationality to connect our thought, experience and action to an order of things that is stable and comprehensive enough to give them a unity justifiable by reference to something beyond themselves. That connection to a larger and more permanent world always draws on reason, experience, tradition and the sort of every-day faith discussed. Nonetheless, it sometimes happens that the latter are not enough for an adequately stable orientation to an enduring order of things. The collapse of liberal modernity into nihilism, dogmatism and manipulative rhetoric, and of classical philosophy into scepticism, superstition and wandering speculation, demonstrate that human reason and experience are not enough to fix truth or meaning.

Nor is tradition always enough, since without something more concrete and authoritative than it can supply through its own resources it can easily lose focus and direction. A tradition is a composite of symbols, practices and beliefs, the meanings of which are largely unstated and understandings of which differ. To the extent it is necessary it is concerned with things that cannot be articulated clearly. Also, tradition is the way of life of a people as it actually is, and, as such, it is likely to incorporate conflict, confusion, abuse, vagueness and a great deal of simple arbitrariness. It must be passed down to exist at all, a necessity that introduces additional uncertainty. Both the weakness of tradition as a human thing and its concern with the inarticulable make it easy for it to lose coherence. Under stress and uncertainty the unspoken faith implicit in it may not be enough to give

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human thought and action a stable reference and orientation. Divisive questions can arise, and the result will be disruption, confusion and dissolution.

While perfect unity is neither possible nor desirable, a tradition must have features that keep it oriented toward a stable understanding of the good and true. Otherwise it will lose the coherent direction and identity without which it is useless, and loyalty to it makes no sense. The importance of features within tradition capable of maintaining its coherence is difficult to overstate. Language is necessary to express and develop our thoughts, and it takes on a distinct meaning by reference to a tradition that fixes common truths, references and understandings. Rational thought would not be possible if we did not have principles we are entitled to rely on as true, and without a coherent tradition such principles cannot be distinct or coherent themselves.

A tradition can lose the ability to maintain such coherence. If there is no way to resolve basic conflicts within a tradition then its accepted principles lose their grip, its language eventually loses meaning, and the possibility of productive thought and discussion disappears. For tradition to remain rational, and in the long run for us to understand and assert anything at all general or complex, there must be an authoritative way within the tradition to resolve conflicts. The growing nihilism and manipulativeness of modernity results from its lack of such a thing, especially with regard to good and evil.

Externals can aid the stability and coherence of tradition. For example, social and political boundaries can provide it with a stable setting in which to exist, and so help protect it from disruption. Also, government and other social authorities can avoid undermining it by recognizing and cooperating with it, and restricting the range of their own activities to avoid disrupting it. Nonetheless, the main safeguard of tradition must be internal. Since we need tradition to make sense of our world, we cannot stand outside it to force it to be something other than what it wants to be. To manipulate it is to destroy it as tradition.

Like language, tradition has an innate tendency toward system. The greater substantive content of moral and religious tradition compared with language, its implicit orientation toward enduring principles that transcend it, and its necessity to any tolerable system of human life lends an additional element of self-restoring stability. The more coherent the tradition and the more adequate it is to human life and the world, the stronger that element will be. Whether it is sufficient for the requirements of life and thought depends on circumstances. In the comparatively undifferentiated societies

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that preceded the rise of cosmopolitan civilization such implicit self-regulating influences were enough to maintain the stability and coherence of tradition. The order of human affairs could be identified with that of the cosmos, and the world assumed without argument to be as tradition said it was.

As society became more complex, communications improved, and political and social relations extended over the borders of particular cultures, questions multiplied, all things became debatable, and tradition had to develop additional features to maintain stability and coherence. Those features forced the manner of dealing with the transcendent — with things that precede and condition the everyday, and are authoritative but difficult to identify and discuss — to become more explicit and formal, and so forced tradition to rely overtly on things that are not purely traditional and customary. Those changes became part of both tradition and reason, in the sense that they became necessary for the continuous and reliable ability to understand oneself and the world.

One such change was the increasing formalization as religion of the aspects of tradition that relate to the transcendent, and their identification as a specialized field of doctrine and discipline. Every society not in dissolution has some shared unspoken sense of the world and our place in it, and corresponding beliefs and habits that order the society in accordance with stable common understandings. Organized religion gives those things a form and structure that makes them able to defend and assert themselves and insist on their irreplaceable role in human life. When human society is no longer simply identified with cosmic order but becomes ever more a collection of specialized and relatively autonomous pursuits, the transcendent must also become a specialty so that it can assert itself and avoid displacement by this-worldly interests and techniques.

The need for formalization has differed in different times and places. Until not long ago, the situation was less acute in India and China than the West. The former are comparatively compact land masses of sub-continental scale, separated from other major civilizations by natural barriers. They lack the complexity of internal obstacles, such as seas and mountains, that across Europe, the Mediterranean basin and the Middle East made it possible for an enduring diversity of political, cultural and religious centers to establish themselves and contend. Outsiders could more often be held at arm's length and fought off or absorbed, so that cultural imports could be dealt with from a position of superiority and either rejected or informally reinterpreted and integrated with the established system. As a result, cultural cohesion and even cosmological understandings were challenged

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less than in the West. Fewer threats to the unity of culture and tradition meant less need for explicit rational unity of thought and less emphasis on the specific authority of revelation. The Chinese emperor could remain the Son of Heaven until 1912, the Confucians could put cultural heritage where the West put philosophy and religion, and "Hinduism" could simply be acceptance of any somewhat mainstream form of Indian religious tradition. Further, a common tendency in the East to view ultimate reality as impersonal, and so to view human goals and the world around us as indifferent and illusory, led men to downplay the possibility of ordering human life by reference to substantive truths and goods. The practical consequence was a tendency away from public life and free inquiry, and toward dynastic despotism in which the greater part of social life is carried on in inward turning groups such as Indian castes and Chinese extended families.

In contrast, the Eastern Mediterranean was a crossroads, marketplace and arena that favored philosophical argument aimed at universal truth, the ideal of scientific rigor, and monotheism. Multiple enduring centers of social life and culture meant continuing confrontation of opposing understandings of human life and the world. To survive in such a setting a way of life had to be able to put its case in a much more explicit, focused and universalizable form. When ancient Israel settled, urbanized and became part of that cosmopolitan world the Israelites preserved the integrity of their way of life by adding to their informal, domestic and tribal pre-Mosaic traditions sacred scriptures, a comprehensive code of sacred law, purity rules that required ethnic separation, a legal system, a temple and its priesthood. Scripture, law, scholarship and purity rules have been sufficient to maintain the coherence of Jewish identity and tradition, at least among observant Jews, down to the present. Islam, a movement of reform and simplification that arose on the fringe of the civilized world and spread itself by force, has had similar ordering principles, although it emphasizes political domination rather than ethnic separation as a means of maintaining the practical authority of the faith among those who have accepted it. Judaism and Islam have therefore survived in the heartland of ancient civilization, while pagan communities and religious or philosophical sects lacking principles and institutions sufficient to define and enforce practice and belief disappeared or were absorbed long ago.

From the outside, the departure induced by authority based on explicit revelation from the anonymity and informality of tradition can look like an artifice that functions to maintain the coherence and apparent intelligibility of life and the world. From within, however, it can only appear as

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the result of an intervention from above. Rejecting such revelations has the usual advantages of scepticism: it seems to risk nothing and to avoid all possibility of a false move. Trying to avoid all risk can itself be a false move, however. Man is social and reason is enduring and common to all, so we cannot live reasonably unless we can view the principles by which we live as public and stable. To make sense in the long run rejection of a revelation must, like any other complex decision, be part of a stable and coherent tradition of thought that constitutes the public truth of a lasting community. Otherwise it becomes a personal gesture without definite or lasting significance.

Once cosmopolitan civilization has arisen the truth implicit in culture can no longer be self-supporting, and its public stability and coherence require common acceptance of some revelation. To reject all revelation is to be left with nothing that bears the marks of truth, outside natural sciences that themselves must depend on broader traditions of knowledge. Under such circumstances we are left to choose among narrow specialization, cynical rhetoric, radical privatization of reality, bullying dogma that tries to create truth by force, and the decline of discourse into an increasingly incoherent association of words. None of those things offers hope of a reasonable way of life.

For a long time, then, to live a life of reason has been, in the Western world, to orient oneself by reference to the authority of some revelation. Nothing has happened to change that situation. To the contrary, it appears from the spread of Christianity in China and Korea, Christianity and Islam in Africa, and the false gods of ideology everywhere, that the need for public, systematic, and comprehensive thought that comes to stable and reliable conclusions has spread well beyond the West. The choice today is not between faith and reason, or between reason and chaos (by whatever name), since chaos is not an option that lasts, but among faiths anchored in some sort of revelation.

The postmodern tendency is to assert that truth — and therefore revelation — is no longer needed for an adequate degree of social stability and coherence. Thus, some might argue that a sort of universal non-metaphysical liberalism has replaced the confrontation of gods and cultures, and the authority of revelation can therefore be replaced by the culture and institutions of liberalism and whatever social arrangements are needed to keep them on top. Multiculturalism, for example, tends to destroy the coherence and authority of every particular culture, leaving only the market and managerial state — and their theoretical expression, which is liberalism — as

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possible principles of order. The suggestion is unpersuasive. Liberal culture and its authority are not self-sustaining. Liberalism is insistently critical, individualistic, rationalizing and anti-traditional. It bases its claim to authority on the confrontation of cultures it says is a necessary feature of modern life, and on its supposed special fitness to deal with that situation because it stands for no particular culture but respects them all and lets them all thrive. If it gives up those arguments it loses its principle of definition and thus its ability to coordinate thought and action, and indeed stops being liberalism. But to keep those arguments, it must be able to explain itself to everyone. To maintain itself as public truth, it must appeal, in the manner of Descartes, to perspicuously true basic principles.

The development of revelation as a response to an increasingly cosmopolitan, rationalized and differentiated social world did not stop with Judaism. Both Judaism and Islam are valid only for a single people — Islam intends to be universal, but its universality consists in the merging of all humanity into a single nation — and their very detailed codes of law maintain coherence and stability by resisting change even on very minor points. Their textual basis makes them appear to possess the divine word fully here and now, and so tends to deprive them of adaptability. Those who fall away from strict legalism have difficulty finding a place to draw the line and tend toward either mysticism that soon becomes unorthodox or this-worldly radicalism. They lack the comprehensive and flexible rationality needed to support public order in a post-Hellenistic world that encompasses large populations with diverse national and local traditions and accepts the advantages of free public life, including free inquiry on a broad range of issues. For a religious tradition to deal authoritatively with ultimate issues in such a setting without engaging in wholesale suppression of valuable aspects of human life, something at once more focused and more supple than textual, scholarly, ritual and prophetic, authority is needed.

Neither pure tradition, nor pure rationality, nor a purely textual revelation is enough, as a practical matter, to settle all issues that must be settled for life to go on. If conflicts among habits, understandings and interpretations cannot be resolved, and inquiry and discussion concluded, free public life will eventually fall apart. In the end the traditions sustaining it will either disintegrate, split into warring factions, freeze and forbid discussion, or become a specialized pursuit and lose the ability to order life as a whole. What will set in is either rigidity and sectarian narrowness, as in Islam, orthodox Judaism and fundamentalist Protestantism, restriction to particular social classes and aspects of life, as in Confucianism, a lack of

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the usable common understandings necessary for public life and objective inquiry, as in much of the non-Western world, or triviality, manipulation and dissolution, as in the West generally today.

A tradition that accepts inquiry and free public life must therefore have a flexible and authoritative way, on crucial points that could put things decisively on the wrong track, to bring inquiry to a conclusion and draw a reliable line between truth and error. The more cosmopolitan and diverse the society the more necessary such an authority becomes. Otherwise, a proposed resolution of the fundamental conflicts that will inevitably arise can only be the opinion of one man or faction that anyone can rationally accept or reject at will. Modern natural science, an institution supremely representative of a world of free public discussion, views theories that do not allow for public confirmation or refutation as empty speculation. The diversity and contentiousness of cosmopolitan civilization creates somewhat the same view of ethical and religious belief. For a belief to seem worth taking seriously, it must be possible to test it at least indirectly, through the testing of beliefs, with which it bears a necessary connection.

It is therefore reasonable to have confidence in a social tradition that provides for rational standards and free public life and inquiry in a cosmopolitan setting only if it includes an authorized method of interpreting its most fundamental principles. Since human reason and experience are not enough to resolve all unavoidable issues, the method must be understood as embodying an intelligence greater than our own, and thus as equivalent to continuing divine guidance. Otherwise, the tradition suffers from an inner weakness that will predictably lead to irrationality and collapse. But if we know in advance that a tradition of life and thought is doomed to incoherence, what it tells us can no longer be viewed as a tolerable approximation to the truth but only as a practical stopgap, something we do not believe but find useful in pursuing particular ends not justified on grounds other than arbitrary desire. It loses its authority, and therefore its ability to define reality. It is then no longer our tradition.

Tradition is necessary because realities that concern us cannot be known in a fully explicit and propositional way. Truth that cannot be unambiguously formulated has a necessary personal element. Impartial expertise can develop possibilities and cast light on details, but it cannot settle much of practical importance, especially outside the hard sciences. Events and propositions can be construed to mean very different things without violating formal criteria. The possibility of knowledge thus depends on personal orientation and commitment.

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Tradition, the common mind of a community, is also personal. To believe as a member of a community — as one must, if one's beliefs are to be stable and coherent — is to put one's trust in its common mind, and be formed by it. I.e., to accept the authority of a tradition. For that acceptance to be rational, and to maintain commitment to truth, we must believe that our community of belief has a relationship to ultimate things that makes it capable of knowing them truly. The Christian account of God become man and still present in his Church makes comprehensible, in the most direct and complete way, how a community can have such a quality. It makes the love, loyalty and trust toward one's community and tradition reasonable. Since God is understood as a living presence in the community here and now, it becomes comprehensible that the decision of the community on disputed matters should rightly constitute our understanding of how those things stand.

When a specific question is to be resolved, the mind of the community must be brought down to earth and made concrete through a human authority that is its guardian. Secular life provides useful analogies. Where public life is ordered by principles intended to be final, comprehensive, and flexible enough to respond to new circumstances, responsibility for construing them normally falls to a hierarchical college appointed for life. Most often such a college is headed by a panel, like the US Supreme Court. However, when the system is not a branch of government but is itself an independent society not subject to external control, as in the case of the dominant party in a one-party state, it is normal, for the sake of unity, personal responsibility, and the possibility of decisive action, for it to be headed by a single man. If the public principles are to be understood as stable, objectively valid, and independent of human will, the other members of the hierarchical college should nonetheless retain a certain independent status so that there remains an element of distributed judgment and voluntary personal adherence. A traditional European monarchy, with its hereditary nobility, provides somewhat of an analogy.

The natural guardian of basic principles is thus a hierarchical college appointed for life, headed by a single man, and relying on precedent, tradition and reason, along with its own authority, as ultimate reference points and justifications. Some object to such an arrangement as necessarily obscurantist because it is "authoritarian." They claim it would be more fitting to have experts, community consensus, or broad and representative groups make the most important determinations, because experts know better, and consensus and democracy draw in a more disinterested way on

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wider knowledge. However, the point of tradition is that it relates to matters beyond the competence of expertise, and the necessity of revelation is that consensus breaks down. Further, a college appointed for life seems most likely to deal with doctrine intelligently and coherently. The authority of a hierarchical college rests on its claim to stand for correct doctrine, while a council, unless it has been called to deal with a crisis that trumps particular interests, tends to draw authority from the groups and interests its members represent. Its actions often reflect faction, politicking, and — since permanent personal responsibility is lacking — the shamelessness of anonymity. And if a large and diverse body dealing with something as specialized and difficult as doctrine is to act at all coherently, it will always be dominated by some small and cohesive group in any event. To insist on the appearance of democracy in such a situation is to encourage obfuscation and manipulation. In fact, it is normally more consistent with freedom to give a single man the ultimate responsibility for doctrine than institutions that claim to be representative. A single man cannot do as much as a larger group, he is more dependent on voluntary cooperation, and as a practical matter he must point to tradition as a whole and understandings he cannot create by himself to justify his actions. Democracy has strong claims in the case of contingent decisions that reflect relative personal interests, but in doctrinal determinations such things are irrelevant.

The arrangement of belief and authority described is that of the Catholic Church. It is the one most consistent with the genius of tradition, because it is universal as well as personal, flexible as well as concrete, and therefore bears more than any other the appearance truth must have for us. Only Christianity understands the community as the earthly body of an incarnate divine person. Only Roman Catholicism, through its hierarchy headed by the Pope, enables the visible Church to speak and act in a personal and authoritative way. Roman Catholicism thus displays, in the most clear and consistent way possible, the natural form for truth to take in a world of free public life. It is therefore in character that Catholicism fostered learning, philosophy and the arts, that Western culture was so fruitful for so long, and that distinctive institutions of Catholic Christendom have included universities, modern natural science and free political institutions. The decisive rejection of Christianity, which even in its Protestant and liberalizing forms has depended on the Roman Church and Pope for its memory, coherence and force, in Western society has been accompanied by irrationalism, radical decline in non-technological culture, and the attempt to reduce politics and public life to purely technical

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functions and so abolish them.

Extra ecclesiam nulla salus is not a contingent feature added on to an arbitrary doctrinal system for self-interested purposes. It expresses a necessity of the post-Hellenistic situation that makes coherent thought and meaning with regard to the world as a whole impossible in the long run, at least in a cosmopolitan society with Western traditions of public life and rational inquiry, without regard to something very much like the authoritative universal Church headed by the Pope. Other religions cannot fill the gap. Islam is unbending and tyrannical, Judaism lacks universality, and Eastern religions have too little to say about the things of this world. Orthodoxy, with an authoritative church but no pope, has tended toward mysticism, stasis, national divisions, political tyranny, and domination of church by state. Free public life has been weak in Eastern Europe and Eastern Orthodox universities have been lacking. Protestantism, which rejected an authoritative church while maintaining and even exaggerating beyond sustainability Catholic traditions of self-government and free inquiry, has had difficulty maintaining coherence and relevance, and has ended either in fundamentalist rigidity or liberal dissolution.

A guardian is not a tyrant. Exercise of ultimate authority must in practice be restrained to respect the vitality of tradition, which by nature is decentralized, non-administered, and reluctant to define things abstractly or comprehensively. Overly-active authority would place truth too decisively in formal institutions rather than God and the believer, and destroy the responsibility of each one to assimilate and live by reason, tradition and revelation.[8] Nor should the Church have direct political power. For the highest good to be seen as superior to worldly affairs, it must be relatively independent of them. The single most important political function of the Church is to relativize the state and place it in a larger setting. It can only carry out that function if there is substantial mutual independence.[9]

Nonetheless, explicit limitations on ecclesiastical authority are difficult to create, because the authority relates to the highest things and so has to be greater and more comprehensive than any other authority. It was the claim of modern thought and the modern state to the right to reconstruct the whole of reality that made necessary the declaration of papal infallibility. If limitations were defined on the authority of the Pope someone

8. The problem is incomparably worse in a society governed by experts. In such a society it is not legitimate for anyone to form his own conclusions about anything.

9. The necessary independence of the state does not, of course, do away with its obligation to act by reference to the public good, which includes goods that are of concern to religion.

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would have to interpret and enforce them, and a second pope added to the first. If Church and State are institutionally separate, however, the theoretical problem is likely to solve itself in practice, since there will be practical limits on the Church's ability to enforce anything it cannot persuade people to accept voluntarily.

To say that something looks like what a system of truth would have to look like for us does not, of course, prove that it really is a system of truth. Not every point can be established at once. To argue that people in the West today must accept Catholic Christianity in order to understand themselves as reasonable and retain good things is not precisely to prove the truth of Catholic Christianity, but only to argue the impossibility of rationally rejecting it. Those who reject it for the sake of enlightenment should offer an alternative way to make a life of superior reason possible. Totalitarianism and perpetually dividing sectarianism show us one type of alternative, Samuel Beckett and the superstition, esotericism, wandering speculations and radical scepticism of late antiquity show us another.

Historical and Practical Considerations

Many people deny particular traditions and revelations, and reject Catholicism as the most reasonable of revelations. The most forceful objection is the argument from success: if radical problems are implicit in liberalism, why has it been as successful as it has for so long? Is it realistic to think liberal modernity will go away and be replaced by something more like what preceded it? Advanced liberalism, after all, is the culmination of the centuries-old attempt to replace custom and religion by man-the-measure and this-worldly reason as the basis for life and thought. That effort has been strikingly successful in many ways. Liberalism has overthrown every tradition that has stood against it and outlasted every competing wave of the future. No competitor has general appeal as a way of organizing social life. Its triumph has led to implicit and sometimes explicit belief in the end of history, now understood as the story of struggle against the oppression that preceded the coming of advanced liberalism, the form of human association whose universal unconditional validity, symbolized by international human rights conventions, makes culture and memory irrelevant. The strengths of advanced liberalism seem overwhelming. Understandings of man and the world, the good, true, just and reasonable, are the basic principles of social cooperation. They make common action possible by determining how situations should be understood, what should be questioned or accepted, and how to go about

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resolving disputes. They are especially important in liberalism, which strives toward explicit rational coherence and demands that power justify itself. Liberalism exists and rules through coordinated action, without central direction, based on concepts and principles. When basic understandings are as well established as those of liberalism, and those at odds with them seem so thoroughly discredited, who can think of opposing them?

Still, neither established philosophical understandings nor practical success last forever. Liberal theory does not by itself explain its own practical success. Liberalism would not have arisen and taken hold as it has unless it grew out of earlier states of affairs, or triumphed without being closely related to things that reliably confer power in the modern world. If it depends on particular conditions and practicalities, however, it will disappear when those things change.

There are, of course, particular interests that benefit from the triumph of advanced liberalism. Technocrats benefit from technocracy, bureaucrats from bureaucracy, financial interests from rule by money. Those interests would not be nearly so successful in pursuing their goals, however, if general ways of thinking did not support them so strongly. There are interests that would benefit from every possible turn of events, so *cui bono* is not normally a sufficient explanation for major trends. More general considerations are likely to matter more.

The view that man is the measure goes back to the Sophists, and came to dominate philosophical thought in the 17th century, a period marked by Descartes' decision to accept as true only what was clear and distinct to him, Bacon's reconstruction of science on experimental principles for "the relief of man's estate," and Hobbes' and Locke's view of society as a contract among individuals for their material security and benefit. Such views are a natural development of a characteristic Western outlook that emphasizes observation, logic, and critical thought. In social affairs, this outlook favors individual rights and initiatives, contractual ordering, government by consent, and law. It has been traced variously to Greek philosophy, Roman law, classical civic life, Germanic love of freedom, and the Christian emphasis on the individual soul and the world as a rational creation. Whatever the particulars, it is evident that the tendencies leading to our current condition are very long-standing Western distinctives.[10]

10. See Victor Hanson, *Carnage and Culture: Landmark Battles in the Rise to Western Power* (New York: Doubleday, 2001) on Western distinctives in general, and the Introduction to Alexis de Tocqueville's *Democracy in America*, Vol. I, on the long-term tendency toward freedom and equality in particular.

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They have been immensely strengthened by the success of modern natural science, industrialism, and rational bureaucratic social organization.

Nonetheless, the tendencies that point most obviously toward liberalism are not the whole explanation of its success. Western liberal institutions needed additional things to function: trust based on common beliefs, habits and attachments; loyalties that attach the people to the public order and elites to the public good; domestic and social relationships that promote moderation, self-control and mutual respect; and legitimate particularity that allows a variety of relatively independent perspectives to supplement and correct each other. England could be liberal because Englishmen just did not do certain things, and because on the whole they were loyal, even in opposition and in spite of all their differences. Such qualities are not the automatic outcome of freedom, self-interest, and universalizable reasoning. For them to exist, European society had to be based on loyalty and faith, as well as law and reason. Abstract standards and rational functions had to be balanced by inherited ties of locality, class, ethnicity, religion and nationality.

Liberal societies have an increasingly tenuous sense of their connection to such historical and cultural particularities. As they forget the value of such things, the particularities come to seem irrational. They seem to stand in the way of physical and social power, and the liberation of the individual from demands not justified by a rational system of general applicability. Further, the rise of the West to world dominance has required (on universalizing Western principles) justification on principles that have no special connection to the West. All Western ways have come to aspire to the condition of Western science and technology, which are viewed as rightfully universal.

The difficulty is that if liberal tendencies are given free rein, consciousness is raised, the illiberal aspects of the social order become plain, and liberals, in order to be liberal, must attempt to eradicate them. The dream of a totally rational, self-contained and equal system of human life leads to an intense dynamism. Attempts to get rid of particular inequalities bring to the fore other inequalities and so force liberalism continually to radicalize itself. Elimination of hereditary nobility and the like was purchased by acceptance of inequalities based on formal qualifications and money that at first seemed more acceptable because of their impersonality. Then they too came to seem like arbitrary impositions, and ever wider schemes of reform were needed to mitigate their effects in more and more complex and comprehensive ways.

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The ultimate outcome has been a pervasive system of control — necessarily hierarchical and irresponsible — that passes itself off as a neutral system of freedom and equality. Such an outcome is catastrophic for liberal society because it destroys preconditions like local diversity and autonomy and the pre-rational ethnic and religious ties that make a common civilization possible. Without local diversity and autonomy there are no distinctive views backed by settled interests to motivate discussion and give it form and substance, and without pre-rational ties there is no limit how far disputes can go once they get started. The destruction of such features of the inherited Western order means the disappearance of a public order based on discussion and cooperation, and with it the ideals of rationality and objective truth that have made liberalism itself possible. In the end liberal government is driven to maintain itself by dogmatism and unprincipled use of force, and so to stop being liberal. The fundamental irrationality of liberal modernity, foreshadowed by Emerson and obfuscated by Dewey, is plain today in PC and postmodernism.

Liberalism thus ends in a crisis that is both practical and theoretical. Some deny that the crisis has any very important implications, on the grounds that liberalism and modernity have already dissolved and been replaced by postmodernity. Others deny that advanced contemporary liberalism reflects an attempt to purify Western rationality, pointing out aspects of it, like feminism and ecological consciousness, that often claim to be non-logocentric and anti-Western. Postmodernity, however, is only a radicalization of Western modernity and adds nothing substantive to what preceded it. Its practical consequence is a more demanding rationalism. Doing away with "master narratives" is doing away with myths, only more so. "Celebrating diversity" is making ethnic and sexual categories irrelevant to social and economic function, and so is identical to imposition of rationalized uniformity. To be anti-Western is to demand that the West be purified from all particularity, and thus to further the radical side of the Western heritage.

The irrationalist Left does serve a psychological need. People need a stand-in for non-rationalized aspects of the Western tradition that have been destroyed. If the stand-in lacks stable concrete content and thus authority, it is harmless to technocracy and helps stabilize liberalism. The more soft-headed forms of contemporary left-liberalism serve that function. Thus, feminism is concerned with the body and human connectedness, and ecology with man's setting in the universe, but neither in a way that can give rise to any non-technocratic social institution. Instead, they undermine more substantive alternatives by obfuscating the issues and

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supplying imaginary palliatives.

The bottom line is that the ostensibly anti-rationalistic aspects of contemporary liberalism are attempts further to radicalize equality and the concept of everything its own measure. They extend "every man his own measure" to "every man, woman, homosexual, witch-doctor and tree his, her or its own measure." As such, they cannot help but support universal rule by money and rationalizing bureaucracies, since no other arrangements can plausibly present themselves as neutral methods of arbitrating hopelessly inconsistent preferences and understandings. They strengthen the dominance of the liberal order, while undermining its justification and ability to function, by making rational discussion and criticism impossible.

The pragmatic success of liberalism is such that dissolution from within is the only thing that can seriously threaten it in the foreseeable future. The threat, however, is far from speculative. The owl of Minerva notoriously flies at dusk. The possibility of rigorously formulating advanced liberalism, first realized by John Rawls in *A Theory of Justice*,[11] and the difficulty of imagining anything beyond it, suggest both its overwhelming present strength and the likelihood that the history within which it has developed has reached conclusion. Signs liberal modernity has reached the end of its possibilities include the collapsing birthrate in the West, the end of youthful hope and idealism, the growing ignorance and hatred of what the West has been, and the absorption of art, literature and philosophy into ideology, careerism, publicity, sensation and perversion.

Can the degeneration and eventual collapse of liberalism be avoided by reforms within liberalism itself? Open-ended aspirations like those of liberalism have normally been chastened in the West by recognition of limits. We are sinful mortals, and must avoid pride and overreaching. Liberalism lacks a true principle of moderation, but for a long time its tendency to emphasize specific reforms substituted for one. That tendency slowed the development of the implications of liberal principles and so gave liberal society relative stability. However, it could not prevent eventual radicalization, because the limits it recognized were not principled but pragmatic and therefore transitory.

Conservatism and constitutionalism attempted to limit the development of liberal absolutism by legal contrivances and retention of a residue of tradition. Neither has held up. Liberalism constantly calls particular traditions into question, and if a tradition cannot defend itself rationally by liberal standards, it eventually disappears. The consequence is that conservatism

11. John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971).

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always retreats and in the end loses. As to written constitutions, they have to be interpreted in a way that seems sensible to those who govern through them, so they cannot stand against general trends in political life and thought. In any event, interpretive agencies eventually adopt whatever views are dominant, so a written constitution ends by making the implications of general trends more absolute.

The failure of constitutionalism and traditional conservatism have led to somewhat more principled proposals for moderating liberalism and establishing a generally liberal public order without liberalism's tendency eventually to go to extremes. None of the proposals seem promising. They look for stabilization and renewal through revisions that still accept fundamental liberal principle. However, such changes are not enough in the case of an outlook that follows such a clear logic as liberalism.

Classicizing versions of liberalism, like libertarianism, try to base public order on contract. Contract makes no sense, however, except as part of a larger order of things that is fundamentally non-contractual. Its final standard is individual will, so it cannot of itself provide a standard for the will. Why not cheat unless there is a principle superior to the will that forbids cheating? Nor is it clear why a legal order based on the supremacy of contract and thus on will as the standard of value should not develop into one based on a more comprehensive approach to maximizing the satisfaction of preferences. In other words, why should a classicizing version of liberalism not lead once again to the advanced PC welfare state?

A neoconservative strategy has been to try to ground social order on habits of enterprise, restraint and reasoned loyalty that successful families and groups develop and pass on to their children. The approach supplements libertarianism by emphasizing ways in which the market supports morality and restraint. The supplement is not enough. To establish themselves socially, such habits have to be attached to pre-rational concepts of identity, e.g., "people like us" and "those other people," that are decisively illiberal and so unacceptable to neo-conservatives, who after all are philosophical moderns who reject particularistic essentialism. But if such distinctions go, how can the ethical standards of a family or group define themselves and endure?

A final suggestion has been to attach concepts like universal equality to concrete conceptions of identity by identifying them with America and its institutions. Liberal universalism would thus become a tangible object of loyalty in particular institutions that embody it. It seems unlikely that such an arrangement would be enough to maintain political attachment.

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How rewarding can it be to say "*civis Americanus sum*," when everyone who wants is equally an American citizen and "America" is a universal order continually redefined by experts? Previous universal empires, like Rome and China, relied essentially on a divine emperor, on genuine local particularities like family, class and local patriotism, and on the threat of outer barbarians. Why should future universal empires not depend on truly particular identities, loyalties and antipathies? There is also, of course, the difficulty that not everyone may want to be a citizen of a universal American empire, while more truly international institutions such as the UN or EU seem incapable of generating much loyalty and so seem destined to disable themselves through inefficiency and corruption.

Adam Smith said that there is a great deal of ruin in a nation. The same principle has notably applied to liberalism, which has more than once bounced back from apparent decadence. Today it seems more prosperous, dominant and stable than ever. Still, nothing lasts forever, and flexible systems eventually petrify. The Soviet experience demonstrates that as society becomes more and more bureaucratized, the ability to muddle through based on common sense, luck and the possibility of a turn for the better disappears. Liberal modernity is too rationalized to change course. Its conceptions of justice and rationality strive for ever greater clarity, consistency, and independence of cultural preconceptions. Such things are very difficult to put in reverse. Once an inequality has come to seem illegitimate and the attempt to abolish it has begun, a proposal to accept it once again seems an embrace of oppression as such and thus utterly intolerable.

The crisis outlined in the first part of this essay means serious problems for America. America was based on a compromise between liberalism and tradition.[12] Before the final collapse of that compromise in the 1960s, American government neither defined ultimate goods nor ignored them categorically. Government functions were limited, especially at the national level, but they took ultimate goods into account. America in fact had an unspoken established religion, a sort of moralistic but otherwise minimalist Protestantism that knit together the public order and popular understandings of ultimate things. As the Supreme Court observed as late as 1952, "We are a religious people whose institutions presuppose a Supreme Being."[13] With the final breakdown of the American compromise, the link was broken between government and American tradition as a whole, and

12. See James Kalb, "Traditionalism and the American Order," published as "Traditionalismen och den amerikanska ordningen," in *Contextus* 4 (1998).

13. *Zorach v. Clauson*, 343 US 306, 313 (1952).

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thus between government and the people. Politics became definitively an affair of interest groups and ideologized elites, and their relationship to popular interests and concerns became decisively manipulative rather than organic. In the absence of an adequate understanding of human life and the common good the American public order entered a state of permanent crisis that features a combination of anarchy and soft totalitarianism.

The balance of tradition, faith and reason has also been slipping in the day-to-day organizational existence of the Church. The decline of tradition and faith as principles that add something substantive to reason and experience can be seen in the primacy of ecumenism, the growth of bureaucracy, the emphasis on expertise and professionalized training, scholarship that turns scripture and doctrine into an all-purpose inkblot, the reinterpretation of religion as liberal social concern, the disdain for traditional popular devotions, and the top-down liturgical and other "renewal" movements that leave nothing untouched in their attempt to eradicate memory.

Exhaustion does not mean that radical change and rebirth are near. Indeed, the liberal order is imposing the practical implications of its principles more comprehensively and radically than ever, maintaining itself not by its rational or popular appeal but by abolition of the social base for new growth so that no alternative seems possible. Prosperity, the world market, and electronic communications loosen personal and cultural ties. The welfare state deprives the informal personal connections on which non-state structures are based of their functions, and imposes high levels of taxation and regulation that weaken them further. The blurring of sexual distinctions and restrictions dissolves the family. Multiculturalism abolishes the functions of ethnicity and culture and turns them into pure principles of opposition that must be mediated by the state to avoid communal violence. And the centralization and professionalization of intellectual and cultural life makes it very difficult to raise questions about fundamentals and have them taken seriously.

It seems that until something unpredictable happens we are stuck within liberal modernity, except to the extent individuals and small groups can make their way on their own to something more hopeful. How long the present situation will last is unclear. Liberal democracy cannot last forever, because it increasingly tends to defeat its own goals of public rationality and private satisfaction, to the extent of preventing its own social and even physical reproduction. One possible outcome is a Soviet-style implosion. If everything becomes dependent on the administrative state, when that becomes terminally corrupt and nonfunctional everything

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goes. Another is the growth of inward-turning religious communities, leading either to a new Constantinism or to a neo-Levantine form of society made up of a loose assemblage of ethno-religious groups. The growth of religious communities seems likely since people have to get their lives organized somehow, and secular Western society does not reproduce itself. Whether such communities will lead to a rebirth of public life or to its final collapse cannot, however, be predicted.

A crisis eventually resolves itself one way or another. Faith is necessary to knowledge, tradition is the natural way for human life to order itself, and what is fundamental is resilient and eventually attains public acceptance. It follows that in important ways the future will resemble the past more than the present. Fundamental things come and go as they wish, however, and one cannot cure a sick tradition by defining and enforcing health and normality. Nonetheless, there is a role for public and political action in the interests of large causes. As an immediate and practical matter, traditionalists need to do what they can to maintain the possibility of a life in accordance with what is reasonable for those attached to such a thing. For example, they need to defend family and institutional autonomy against PC imperialism. More generally, they should do what they can to maintain a presence in politics and public discussion, no matter how small numerically, so that their principles remain a public possibility that can exert whatever influence events permit. At a minimum, the presence of those principles will extend the range of what is thought politically conceivable, and so relativize modernist absolutism and help limit its overreaching.

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The Ontological Need: Positing Subjectivity and Resistance in Hardt and Negri's Empire

David Sherman

Michael Hardt and Antonio Negri's *Empire*[1] is the most influential neo-Marxist work to emerge since the monumental political events of the late 1980's. The book belongs more precisely, to the "autonomist Marxist" tradition, which grew out of the Italian workerist movement of the 1960's. From its inception, the basic tenet of this tradition has been that working class resistance, rather than some dynamic intrinsic to capital, is primarily responsible for instigating capitalist crises, and that these crises, in turn, stimulate further capitalist development.[2] Thus, according to Hardt and Negri, it was in reaction to labor opposition in the 1960's and 1970's, which attacked the prevalent production paradigm (i.e., the centralized factory model based on "disciplinary governability"), that capital was forced to shift into a different production paradigm — one characterized by decentralization, communication, and a concern with immaterial products, such as information and services.[3] This new production paradigm,

1. Michael Hardt and Antonio Negri, *Empire* (Cambridge, MA.: Harvard University Press, 2000). Cited hereafter as E. According to Benjamin Stille, "Apocalypse Soon," in *The New York Review of Books* (November 7, 2002), p. 47, the book has "come as close to becoming an international best seller as a university press book dense with references to Spinoza, Marx, and Gilles Deleuze is likely to get."

2. See Antonio Negri, "Marx on Cycle and Crisis," in *Revolution Retrieved* (London: Red Notes, 1988). Negri states that Keynes and, especially, Schumpeter, with his idea of "creative destruction," saw that forces opposed to profits could force the innovations needed to put future profits on a firmer footing, but that their class biases precluded them from seeing that these forces primarily arise from working class resistance rather than competition among capitalists.

3. E, pp. 272-276.

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predicated on maximum flexibility, facilitated the collapse of the heavily bureaucratized Soviet system[4] — the last significant barrier to the frictionless world market that capital has historically sought.

In *Empire*, Hardt and Negri outline this new global constellation. The "basic hypothesis" — that "sovereignty has taken a new form, composed of a series of national and supranational organisms united under a single logic of rule" that constitutes "Empire"[5] — seems to resonate with the position of those who see the modern problematic as engendering "the New Class." Along with Hardt and Negri, New Class theorists believe that "traditional nation-states have lost much of their sovereignty" and will experience "an even greater erosion in the future."[6] Because the nation-state has "severely impoverished" all notions of community by forcing them into "the straitjacket of the identity and homogeneity of the people,"[7] neither group mourns this relative loss of sovereignty. Moreover, like Hardt and Negri, New Class theorists reject the notion that disengaging from the global economy, rather than "confronting its homogenizing and heterogenizing flows in all of their complexity," is a beneficial response, given that the global market disarticulates all national and local economies.[8] Finally, like Hardt and Negri, New Class theorists are concerned with the question of subjectivity and its relation to the increasingly administered nature of contemporary society. According to Hardt and Negri, Empire's "imperial command" is constituted by "three distinct moments": a universalizing political moment that incorporates different peoples by "taking away the potential of the various constituent subjectivities"; a particularizing cultural moment that celebrates the remaining "nonconflictual differences"; and a managerial moment that hierarchizes these differences "in a general economy of command."[9] By way of comparison, New Class theorists diagnose the contemporary political situation in much the same fashion: purporting to administer their monopoly on universally valid knowledge in the service of those who suffer from the ravages of capitalism, the New Class of professionals, intellectuals, bureaucrats, and politicians tends to homogenize subjectivity by homogenizing a lifeworld

4. *Ibid.*, pp. 276-277.
5. *Ibid.*, p. xii.
6. Jorge Raventos, "From the New Left to Postmodern Populism: An Interview with Paul Piccone," in *Telos* 122 (Winter 2001-2002), p. 152.
7. E, p. 107
8. *Ibid.*, p. 46. Compare with Raventos, "From the New Left to Postmodern Populism," *op. cit.*, pp. 140-141.
9. E, pp. 198-201.

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within which vigorous subjectivities might arise — all the while trumpeting a nonconflictual multiculturalism that is only a revamped "version of the old assimilationist strategy."[10] In this way, the New Class not only profits from the enervating impulse that is at the heart of capitalism's formal rationality, but also directly competes with it by attempting to establish its own rationalizing hegemony over everyday life.[11]

Despite these similarities, however, decisive differences remain. Drawing on the critique of the original Frankfurt School — Adorno, in particular — New Class theorists see the contemporary situation from the standpoint of "the theory of artificial negativity." Arguing that the dialectically-engendered "determinate negation" in which Adorno and Horkheimer still placed their hopes in *Dialectic of Enlightenment* was subsequently supplanted by the accelerated movement toward what Adorno called the "totally administered society," the New Class theorists assert that subjectivity itself has been progressively hollowed out to such an extent that even the minimal vibrancy needed for the society's own reproduction (not to mention the vibrancy needed to supplant it) is severely lacking. Under these circumstances, society's various administrative apparatuses, functioning at cross purposes with the underlying logic of their own domination, have vainly attempted to artificially manufacture the modicum of subjectivity that is needed to reproduce themselves. Conversely, rather than commence from the standpoint of a historically sedimented dialectic, in which subjectivity is progressively domesticated (toward the very limit of its own disintegration) by the administered society's "culture industry," Negri's variation of autonomist Marxism maintains that contradictions within the workplace have progressively given rise to the development of an oppositional working class subjectivity. Capital has thus been impelled to progressively displace these contradictions into the sociocultural sphere, giving rise to autonomist Marxism's notion of the "social factory." But this strategy is ultimately in vain, for it fosters universally oppositional subjectivities capable of engaging in subversive, self-valorizing activities. Hardt and Negri's *Empire* — within which the subjectivity of the working classes, reconfigured as "the multitude," is not mediately "false" but rather immediately "insurgent"[12] — constitutes the culmination of this tradition. In support of this account, Hardt and Negri proceed to offer triumphantly a "theory of artificial positivity."

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10. Raventos, "From the New Left to Postmodern Populism," *op. cit.*, p. 149.
11. See, generally, *ibid.*, pp. 133-144.
12. E, pp. 393-394.

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Accordingly, although both schools of thought subscribe to the view that capitalist modernity's rationalization processes not only increasingly smoothed over the old dualities that constituted them but finally broke them down altogether in the service of an unqualified will to power, they respond to the new postmodern situation in diametrically opposed ways. While New Class theorists focus on "organic negativity," which means hearkening back to the sedimented traditions and customs of organic premodern communities (whether "real or imagined") in the pursuit of rich subjectivities and "organic postmodern communities,"[13] Hardt and Negri celebrate capitalist modernity's rationalization processes, and argue that the radicalization of their underlying logic opens, rather than closes, subjective possibilities. Postmodernism may well be "the cultural logic of late capitalism," but in the variant of this cultural logic associated with Deleuze and Guattari's *Anti-Oedipus* and *A Thousand Plateaus* Hardt and Negri discern the emanipatory moment that will burst capitalism open. Like Deleuze and Guattari, they claim that this emancipatory moment must be grasped within a postmodern materialist ontology that has transcended "the cursed dialectic" of modernity.[14]

This ontological commitment, however, is a disaster. Although *Empire* is not without valuable socioeconomic insights, their integration into Hardt and Negri's own rendition of "fundamental ontology" often homogenizes them to the point of vacuousness. By talking about "the multitude" (which obscures the differences among groups that do not have a stake in Empire's rule), "immaterial labor" (which obscures the fact that Empire's rule has not only revitalized the ugliest forms of brute material labor domestically, but has also proliferated them abroad), and a "value theory" beyond measure (which obscures the fact that it is unclear to what extent Marxian value theory is even relevant here), Hardt and Negri obscure the mediated nature of what they are investigating — just as capitalist ideology does — and thus their theory becomes no less ideological. Negri's work has reflected this homogenizing tendency for some time. As early as 1980, a former colleague, Sergio Bologna, pointed out

13. See Paul Piccone, "The Tribulations of Left Social Criticism: Reply to Palti" in *Telos* 107 (Spring 1996), p. 164. Building on Hegel's recognition that Kant was right with regard to the necessity of categoriality for the possibility of experience, but that categoriality had to be compehended in socio-historical terms, Piccone states that "modern and postmodern consciousness is inextricably trapped in a temporality in which premodern organicity as an idealized past sedimented in personal identity always mediates between present and future." It is "a precategorical dimension logically prior to the deployment of concepts in terms of which experience is structured."

14. E, p. 377.

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that "the political composition of the [working] class has changed substantially in the factories, and certainly not in the direction indicated by Negri . . . [T]he opposite of that greater unity of which he talks has taken place. A deeper division has occurred: not between factory and society, but within the factory itself, between the working class right and left.Negri's "millenarian language," he concludes, is a "ballbreaker," and it "deserves to be negated like every other 'general theory.'"[15] Within the context of *Empire*, Bologna's remarks are understated. To the extent that there was an explanatory gap between Negri's earlier "general" theories and the underlying phenomena, Hardt and Negri's recourse to a postmodern materialist ontology has only widened it.

To "negate" Hardt and Negri's "general theory", as Bologna advocates, requires an analysis of the concepts they use — most of all, their concept of subjectivity. Unlike others operating within an ontological framework, materialist or otherwise, Hardt and Negri stress not only that "a new theory of subjectivity must be formulated,"[16] but that, understood ontologically, Empire produces subjectivities that will ultimately resist it.[17] Along with New Class theorists, it can be argued, following Adorno, that precisely the opposite is the case. By attempting to go beyond the dialectic of enlightenment, Hardt and Negri's thought falls prey to the "identity logic" that typifies it, and what they are left with is a hollow subjectivity based on an "artificial positivity" that recapitulates the very worst aspects of Empire's logic of domination.[18]

Ontology Needed

According to Adorno, "surviving in the ontological need" is "the specifically philosophical impulse to blast a hidden truth out from behind the idols of conventional consciousness," which shows "a remembrance of the will not to let thoughts be robbed of that for the sake of which men think them."[19] Since the sciences have increasingly lost any self-consciousness concerning their social role, Adorno is not unsympathetic

15. Sergio Bologna, "Proletari e Stato di Antonio Negri: una recesione," in *Primo Maggio*, pp. 27-28, quoted in Steven Wright, *Storming Heaven: Class Composition and Struggle in Italian Autonomist Marxism* (London: Pluto Press, 2002), p. 170. "

16. E, p. 29.

17. *Ibid.*, p. 52.

18. What it takes to revive subjectivity, and, in particular, whether it requires the positing of real or imagined premodern organic communities as regulative horizons, as the New Class theorists claim, is beyond the scope of this article.

19. Theodor W. Adorno, *Negative Dialectics*, tr. by E.B. Ashton (New York: Continuum Publishing Co., 1992), p. 73.

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towards ontology. Yet, by breaking with the sciences in favor of essences, ontology not only "makes us believe in the attainability of what [at least for the moment] are unattainable things," but, even worse, it recapitulates the sciences' most objectivistic aspects by positing as invariant sociohistorically generated needs and problems.[20] In other words, although the impetus for Heidegger's so-called "ontological difference" — i.e., the difference between understanding how to cope in a "fallen" world (ontic transcendence) and an originary understanding of Being (ontological transcendence) — is to be appreciated because it refuses to collapse into a celebration of the existing state of affairs, it nevertheless unwittingly tends to do so through its very abstraction. Lacking a determinate content that would sully the purity of Being, which represents a lost immediacy, the sullied content of the profane world that ontology would transcend comes to predicate Being itself: the ontic is ontologized and thus becomes "second nature." This is particularly so when, as for Heidegger, the price of ontological recovery is subjectivity: "A self-denying subjectivity recoils into objectivism,"[21] for it "confirms the sense of impotence, causes men to identify with it, and thus reinforces the spell of the second nature."[22]

With Deleuze and Guattari, ontology allegedly takes a "materialist" turn, and thus moves beyond "the ontological difference," as well as the concerns that motivate it. As Hardt states in an earlier book on Deleuze: "We should be careful at the outset to distinguish this from a Heideggerian return to ontology" because Deleuze "limits us to a strictly immanent and materialist ontological discourse that refuses any deep or hidden foundation of being. There is nothing veiled or hidden. . . . Being in this sense, is superficial, positive, and full."[23] Hardt and Negri set off from the standpoint of this "superficial, positive, and full" ontology — beefed up not only with a Marxian theory of "the new nature of productive labor," which Deleuze and Guattari had failed to grasp,[24] but also with a commitment to subjectivity, which Heidegger, Deleuze and Guattari had repudiated. Thus,

20. *Ibid.*, p. 92.
21. *Ibid.*, p. 70
22. *Ibid.*, p. 68.
23. Michael Hardt, *Gilles Deleuze: An Apprenticeship in Philosophy* (Minneapolis: University of Minnesota Press, 1993), p. xiii.
24. E, pp. 28-29. Unlike the current "Italian Marxist authors who recognize the biopolitical dimension in terms of the new nature of productive labor and its living development in society," Deleuze and Guattari "seem able to conceive positively only the tendencies toward continued movement and absolute flows, and thus in their thought, too, the creative elements and the radical ontology of the production of the social remain insubstantial and impotent."

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there is a "fundamental productivity of being," which exhibits itself in "the virtual powers of the multitude that constantly tend toward becoming possible and real."[25] The target of this materialist ontology is, first and foremost, "dialectical enlightenment" in all its forms, for it is only with the supersession of modernity, which they see as essentially dialectical, that "the ontological drama begins."[26] Of course, virtually all Marxist theories have traditionally eschewed ontological speculation, often in favor of dialectics (including variants such as "dialectical materialism" that have actually rejected dialectics and surreptitiously relied on ontology). And, in *The German Ideology* Marx himself writes that the "first premises of a materialist method" are "real individuals, their activity and the material conditions under which they live."[27] This suggests that philosophical "materialism" is just a cruder form of idealism, because it purports to comprehend sociohistorical phenomena from an ahistorical first principle. Still, one might argue Hardt and Negri's materialist ontology does not partake of what is especially objectionable in classical ontology, since it is allegedly "linked to historical change rather than essential Being."[28] This simply confuses matters however. As Adorno asked Marcuse, who, early on, provided a materialist reading of Heidegger's ontological notion of historicity by contraposing it to his own Marxist reading of Hegel, why "should the 'ontological' question precede that of the interpretation of real, historical facts if the aim is to bridge the gap between ontology and facticity?"[29] In other words, why ontology, materialist or otherwise?

As a first approximation, Hardt and Negri see Deleuze and Guattari's materialist ontology as a postmodern corrective to Marx's historically-superseded reliance on modernist metaphysics. According to Hardt and Negri, modernity lasted as long as capital, which progressively subsumed noncapitalist environments through imperialism, had not yet brought this process to fruition (or, as Hegel would say, as long as capital had not yet become "adequate to its concept"). Under these conditions, Marx still presupposed "the independence of use value against the world of exchange value," which was based on an "inside-outside paradigm" covering the

25. *Ibid.*, p. 387.
26. *Ibid.*, p. 47.
27. Karl Marx and Frederick Engels, *The German Ideology*, tr. by C. J. Arthur (New York: International Publishers, 1970), p. 42.
28. See Timothy S. Murphy, "Ontology, Deconstruction, and Empire," in *Rethinking Marxism*, Vol. 13, Nos. 3/4 (Fall/Winter 2001), pp. 16-23.
29. See Seyla Benhabib's introduction to Herbert Marcuse, *Hegel's Ontology and the Theory of Historicity*, tr. by Seyla Benhabib (Cambridge, MA: The MIT Press, 1987), p. xxxi.

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full range of modernist phenomena.[30] Drawing from Marx a distinction in *Capital* concerning "formal" and "real" subsumption — the difference between the extension of capitalist production processes to environments in which they did not exist and their intensification in environments in which they did — Hardt and Negri argue that the postmodern is ushered in when formal subsumption is no longer an option because the globe itself has already been subsumed. Consequently, there is no longer an "outside" (which means that all of the defining binaries of modernity are superseded), and the "inside" — now simply the "plane of immanence" — is ever more thoroughly fashioned by capital.[31] Therefore, "the modern dialectic of inside and outside is replaced by a play of degrees and intensities, of hybridity and artificiality."[32] Strictly speaking, in the process of moving from the imperialist sovereignty of nation-states to that of Empire, humanity moves beyond the modern, and a postmodern ontology can be grasped in purely descriptive terms, i.e., as a way of depicting the new socio-historical constellation.

Yet, Hardt and Negri also see their postmodern ontology in normative terms. They claim that many early modern thinkers — Spinoza, most of all — had it right by moving to the "plane of immanence," and that later dualistic thinkers manifested a counterrevolutionary impulse designed to repair the splits within capitalist modernity. In terms of the present, they claim that the "construction of Empire," which leads back to the plane of immanence, "is a step forward," and "any nostalgia for the power structures that preceded it" should be done away with.[33] Even if their sociohistorical characterization of late capitalism is correct, however, this alone does not call for a postmodern ontology — or, for that matter, any ontology. What does point to this need — given their acknowledgment that "capitalism is miraculously healthy, its accumulation more robust than ever"[34] — is the seeming lack of any emancipatory impulse in the face of capitalism's totalitarian drive, the very situation anticipated with horror by the first generation of Frankfurt School theorists. In this sense, Hardt and Negri are motivated by the desire to demonstrate "the attainability of what [at least for the moment] are unattainable things." Thus, as a second

30. E, p. 185.
31. *Ibid.*, p. 386. According to Hardt and Negri: "Use value and other references to values and processes of valorization that were conceived to be outside the capitalist mode of production have progressively vanished."
32. *Ibid.*, pp. 187-188.
33. *Ibid.*, p. 43.
34. *Ibid.*, p. 270.

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(and better) approximation, ontology is meant to insure emancipation at the very moment when, they fear, the underlying sociohistorical dynamics no longer do.

The problem with resorting to ontology for emancipatory purposes is that, given its abstract categories, it can make no sense of what needs to be done in order to bring emancipation about. This problem is already prefigured in Heidegger's "jargon of authenticity."[35] By speaking in terms of *Dasein* rather than (Marx's) "real individuals, their activity and the material conditions under which they live," Heidegger deals abstractly with the question of what would constitute an authentic choice of oneself in the world by transforming weakness into strength. "Freedom" is thus located in the self-revealing powerlessness of *Dasein*, which then communicates its existential struggle for its "destiny" to others, as befits one whose essential being lies in "being-with."[36] Similarly, by speaking in terms of "the multitude," Hardt and Negri deal abstractly with the question of what form emancipatory practices might take. Because the multitude's labor is characterized by the "immateriality" of the ubiquitous information and communication technologies, one would suspect that for them, as for Heidegger, some form of communication also plays a key role. Yet, although "the singular is presented as the multitude,"[37] Hardt and Negri claim that "one of the central and most urgent political paradoxes of our time" is that in the age of communication "struggles have become all but incommunicable."[38] Presumably, the homogenized workforce of Empire would pull in the opposite direction, but, as postmodernists, Hardt and Negri are also committed to an unalloyed singularity, and thus they contend that "struggles not only fail to communicate to other contexts but also lack even a local communication." What they claim is needed is "a communication of singularities,"[39] and optimistically, they write that "precisely because all these struggles are

35. See Theodor W. Adorno, *The Jargon of Authenticity*, tr. by Knut Tarnowski and Frederic Will (Evanston, Il: Northwestern University Press, 1973).

36. According to Heidegger, "Dasein understands itself in its own superior power, the power of its finite freedom, so that in this freedom, which 'is' only in its having chosen to make such a choice, it can take over the *powerlessness* of abandonment to its having done so. . . . But if fateful Dasein, as Being-in-the-world, exists essentially in Being-with-Others, its historicizing is a co-historicizing and is determinative for it as *destiny*. . . . Only in communicating and in struggling does the power of destiny become free." See Martin Heidegger, *Being and Time*, tr. by John Macquarrie and Edward Robinson (New York: Harper & Row, 1962), p. 436 (italics in the original)

37. E, p. 73.

38. *Ibid.*, p. 54.

39. *Ibid.*, p. 57.

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incommunicable, and thus blocked from traveling horizontally in the form of a cycle, they are forced instead to leap vertically and touch immediately on the global level."[40] Aside from the awkward notion of a global labor force singularized in its homogenity, there is no incommunicable solidarity that can lead to the toppling of global capital. To assume that there is one has a detrimental effect: it enables Hardt and Negri to avoid ascertaining the relation between various local struggles, which are neither completely communicable nor incommunicable, as well as what it would take to reconcile them in the face of a global regime being imposed on all.[41] Still, although they confess that "it is midnight in a night of specters . . . and nothing manages to illuminate our destiny ahead," they declare that "Empire is defined by crisis, its decline has always already begun, and consequently every line of antagonism leads toward the event and singularity."[42]

If this ontologically supported triumphalism is bracketed, Hardt and Negri's claim that "there is no longer an outside" is structurally akin to Francis Fukuyama's overhyped thesis, as they themselves admit.[43] Published just after the first Bush's declaration of a "New World Order," Fukuyama's work points to the "end of history" interpretation of Hegel's *Phenomenology of Spirit* (popularized by Alexandre Kojève in the 1930's) to buttress his claim that, with communism's collapse, history ends by culminating in bourgeois liberalism — a universal "form of consciousness" that, on Hegel's account, does not tend toward its own overcoming. However fleeting, Hardt and Negri's association with a work that rejoices in the final global triumph of free market economics is not only odd but, more importantly, unwittingly testifies to a commitment to the *status quo*.[44]

Subjectivity without an "I"

For those committed to social change — especially those such as Hardt

40. *Ibid.*, p. 55.

41. See also Nick Dyer-Witheford, "Empire, Immaterial Labor, the New Combinations, and the Global Worker," in *Rethinking Marxism*, Vol. 13, Nos. 3/4 (Fall/Winter 2001), p. 75.

42. E, p. 386.

43. *Ibid.*, p. 189.

44. Even Fukuyama had mixed feelings about "the end of history." Although his last man can be interpreted in various ways, there is good reason to think that this character, who is "last" because he lacks both the will and creativity to overcome himself, exemplifies the sort of subjectivity that goes with the actualization of modernity's instrumentalizing processes. Falling back on Deleuze and Guattari's ontologically driven "play of degrees and intensities," Hardt and Negri maintain that the subjectivities produced by the actualization of these processes are not only vibrant but also antithetical to them.

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and Negri, who believe that the possibility of such change is inextricably intertwined with the much maligned notion of subjectivity — Deleuze and Guattari's ontology is a losing proposition. In *Anti-Oedipus*, Deleuze and Guattari set themselves to the task of developing an ontology predicated on desire, which is inherently fragmented, though productive, and involves a non-hierarchical play of bodily forces. However, in modernity, they argue, desire is "territorialized" (repressed, channelled, and controlled) in accordance with the aims of modern social institutions, and this is attained by means of our subjectivity, the essential modern construct or representation. What is needed, Deleuze and Guattari claim, is "decoding and deterritorialization," namely, to scramble the repressive codes of the modern institutions that have coded desire — revolutionary by nature — and thus emancipate it by ending their territorialization of it. Hardt and Negri also conceive of emancipation in terms of "decoding and deterritorialization," but this still leaves open the question of praxis, to which they respond: "We must push through Empire to come out the other side. Deleuze and Guattari argued that rather than resist capital's globalization we have to accelerate the process. 'But which,' they ask, 'is the revolutionary path? Is there one? To withdraw from the market? Or might it be to go in the opposite direction? To go still further, that is, in the movement of the market, of decoding and deterritorialization?'"[45] Thus, paradoxically, according to Hardt and Negri, it is only by succumbing to the very logic of Empire's instrumentalizing processes that we are actually in a position to act against them. Even to choose this dubious posture, much less facilitate it, however, presupposes just what Hardt and Negri's theory – in deed though not word – denies, namely, an efficacious subjectivity. In fact, the very next sentence of *Anti-Oedipus* following the passage quoted by Hardt and Negri is as follows: "Perhaps the flows are not yet deterritorialized enough, not decoded enough, from the viewpoint of a theory and a practice of a highly schizophrenic character."[46]

It is the schizophrenic character – or, at the very least, a schizophrenic process that would break down the badly territorialized neurotic in the service of what would ultimately be a healthy rather than "sick schizo"[47] – that is privileged in *Anti-Oedipus*. As the title suggests, Deleuze and Guattari will have no truck with the sorts of neuroses that are at the heart of Freud's theories – neuroses that are, to be sure, psychic expressions of social deprivations mediated through the nuclear family – but rather than attack the

45. *Ibid.*, p. 206.

46. Gilles Deleuze and Félix Guattari, *Anti-Oedipus*, tr. Robert Hurley, Mark Lane, and Helen Lane (Minneapolis: University of Minnesota Press, 1983), p. 239

47. *Ibid.*, pp. 362-363.

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social institutions that are at the root of these neuroses, as praxis demands, Deleuze and Guattari would simply supersede these neuroses by superseding the subject who is subject to them. As a result, *Anti-Oedipus*, and, derivatively, *Empire* (despite its nominal commitment to subjectivity) engage in a performative contradiction: they lack not only the theoretical standpoint from which to prescribe practices to challenge capitalist hegemony but also the theoretical standpoint from which capitalist hegemony could be critiqued as an initial matter. As Lyotard cogently recognizes in *Libidinal Economy*, capitalism, as a high energy system, is a perfect environment for the play of bodily forces, and therefore, he contends, the theoretical problem is neither with a "philosophy of the body" nor with capitalism but rather with critique itself, which, by its very nature, lacks cathexis: "There is no alienation from the instant one escapes the critical relation."[48] *Libidinal Economy* thus reflects the ultimate logic of Deleuze and Guattari's philosophy of the body, which jettisons the subject but unwarrantedly presupposes alienation, and jettisons dialectical "negativity" in favor of the "positivity" of diverse bodily drives, but unwarrantedly presupposes some standpoint from which to make critical normative distinctions among both desires and the institutions through which they might be expressed. This normative dead end troubled even Lyotard himself, who, shortly thereafter, found a different theoretical vehicle for his rejection of metanarratives, one which did not, at least in principle, reject the possibility of some normative stance (specifically, the injunction to proliferate "language games," as is set forth in *Just Gaming*.) It is unclear how Hardt and Negri, whose anti-capitalist commitments are saturated in normativity, can justify these commitments, given, as Lyotard diagnosed, the normative dead end to which their embrace of Deleuze and Guattari's ontology commits them. Of course, even from the vantage point of Deleuze and Guattari's ontology, which is so hostile to the notion of subjectivity that the "I" often refers to itself from the third person standpoint,[49] Hardt and Negri's commitment to subjectivity is

48. Jean-François Lyotard, *Libidinal Economy*, tr. Iain Hamilton Grant (Indianapolis: Indiana University Press, 1993), p. 109.

49. It should be pointed out that, precisely because of their normative commitments, Deleuze and Guattari could not completely juggle the subject out of their ontological equation. Accordingly, in *A Thousand Plateaus* they contend that "you have to keep enough of the organism for it to reform each dawn; and you have to keep small supplies of significance and subjectification, if only to turn them against their own systems when the circumstances demand it, when things, persons, even situations, force you to; and you have to keep small rations of subjectivity in sufficient quantity to enable you to respond to the dominant reality." Gilles Deleuze and Félix Guattari, *A Thousand Plateaus*, tr. Brian Massumi (Minneapolis: University of Minnesota Press, 1987), p. 160.

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plainly incongruous. It therefore rings hollow when they declare that "a new theory of subjectivity must be formulated that operates primarily through knowledge, communication, and language."[50]

Bracketing this incongruity, however, it makes sense that a new theory of subjectivity will give pride of place to communication, given that Hardt and Negri's postmodern theory of value is based not on the production of commodities but on the multitude's communication of its knowledge competencies (and, from capital's perspective, its communication of the ideologies that bolster capital's own continuing social domination). Now, this preoccupation with communication, as Hardt and Negri recognize, is, in certain respects, suggestive of Habermas. For present purposes, however, what is interesting about their relation to Habermas is not merely their critique of his theory of communicative action – which, notwithstanding a basic structural flaw, ends up with a correct conclusion – but the applicability of this critique to their own ontology. To begin with, the critique of Habermas's theory of communicative action itself is deceptively straightforward: "When Habermas developed the concept of communicative action, demonstrating so powerfully its productive form and the ontological consequenses deriving from that, he still relied on a standpoint outside these effects of globalization, a standpoint of life and truth that could oppose the informational colonization of being. The imperial machine, however, demonstrates that this external standpoint no longer exists."[51] In other words, for Hardt and Negri, who rely on their primary hypothesis that Empire is postmodern because its all encompassing nature supplants modernity's defining "inside-outside paradigm," Habermas' theory of communicative action presupposes this inside-outside paradigm, and is thus obsolete. Indeed, Habermas, who is arguably modernity's most fervent defender, provides grist for this argument by making a hard and fast distinction between "system" ("inside") and "lifeworld" ("outside"), asserting that the imperatives of the former (the sphere of instrumental rationality, namely, the sciences, which includes "the dismal science," economics) have transgressed those of the latter (the spheres of morality and art).

From a strictly modern standpoint, however, Habermas's theory is not credible precisely because it posits this undialectical distinction between system and lifeworld. The separation of value spheres, which Habermas chastises Adorno and Horkheimer for not appreciating, is rooted in the belief that the peculiarly bourgeois conception of modernity can have its

50. E, p. 29.
51. *Ibid.*, pp. 33-34.

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cake and eat it too – namely, that it can approach the lifeworld's moral promise, an "ideal speech community" that draws its normative sustenance from various pragmatic presuppositions inherent in the use of language, while simultaneously giving free play to the instrumentalizing productivities of the system, which, as things truly stand, has "colonized" the lifeworld. In its Kantian recourse to a practico-moral sphere, whose alleged insulation from the theoretico-scientific sphere (in theory, but not practice) is the very condition of its possibility, this is arguably an idealistic retreat from a "critical" theory of society, as well as the aim of the modern project itself, which is to reconcile the modern splits rather than merely to call the recognition of the modern splits reconciliation. After all, the post-Kantian German Idealists, and, indeed,Marx himself, attempted to repair these Kantian splits in the name of modernity. In any event, for present purposes, the essential point is that although Hardt and Negri wrongly imply that Habermas's "external standpoint" is more efficacious within the modern context, since by sinking his ideals into the deep structures of language rather than history and economics there is a radical disconnect between theory and practice, they are much closer to the truth in asserting that there is presently an "informational colonization of being" – although the absoluteness of this claim is somewhat overdone (and rather ironic as they accuse those who continue to think in dialectical terms of being excessively pessimistic). And this tendency toward an "informational colonization of being," namely, the colonization of knowledge, communication, and language by capital,[52] applies irrespective of whether it is understood in modern or postmodern terms. However, if this is the case – if "being" is thoroughly colonized – why is it that subjectivity does not inexorably follow suit? By virtue of the fact that it operates "primarily through knowledge, communication, and language," which are "colonized," how can Hardt and Negri's "new theory of subjectivity" circumvent the postmodern fate that they ascribe to Habermas's theory of communicative action? Or, put in historical context, how can either Hardt and Negri's "new theory of subjectivity" or Habermas's theory of communicative action steer clear of the first generation critical theorists' most gloomy "false consciousness" arguments, which the autonomist Marxists and, increasingly, Habermas himself, have found to be particularly repugnant?

Although neither Hardt and Negri's ontology nor Habermas's theory of communicative action actually speaks in terms of what Habermas disparages as a "philosophy of consciousness," in both theories there is thus

52. See *ibid.*, p. 404.

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at least an implicit recognition that consciousness is overrun by the imperatives of capital. But while Hardt and Negri paradoxically celebrate (and, indeed, would hasten) the fragmentation that is inherent in capitalism's developmental processes for the greater good of subjectivity and resistance themselves, Habermas laments this, declaring that "in place of 'false consciousness' we today have a fragmented consciousness that blocks enlightenment by the mechanism of reification," which facilitates the "colonization of the lifeworld."[53] Aside from the fact that this fragmentation of consciousness seems to be congruent with a theory based on a hard and fast differentiation of value spheres, Habermas, acting against the grain of his theory of communicative action, has recognized that some notion of subjectivity must be imported to deal with such problems. Thus, in his 1987 Copenhagen lectures, he attempted to revive his theory of communicative action by tarrying with Kierkegaardian subjectivity so as to have a basis for avoiding the sort of wholesale collapse into the merely existing "ethical totality" that Hardt and Negri countenance, and to which his own communicative theory at least implicitly points. However, the robust subjectivity that he attributes to the Kierkegaardian moment (despite fundamental structural problems that he rightly finds innate to Kierkegaardian subjectivity) is entirely incompatible with the ego-alter ego model that informs his own theory of communicative action.[54] In both Hardt and Negri's postmodern ontology and Habermas' theory of communicative action, subjectivity can find no meaningful place.

All in the Family

As is the case with Habermas, Hardt and Negri's criticisms of "postmodernism"[55] – or, to be more precise, its principal non-materialist

53. Jürgen Habermas, *The Theory of Communicative Action*, Vol. 2, tr. by Thomas McCarthy (Boston: Beacon Press, 1989), p. 355.

54. David Sherman, "Adorno's Kierkegaardian Debt," in *Philosophy & Social Criticism*, vol. 27, no. 1 (Winter 2001).

55. Hardt and Negri's critique of postmodernist and postcolonialist theories is the subject of chapter 2.4, "Symptoms of Passage" (pp. 137-159), and within this chapter there is very little question that for the most part deconstruction is what they have in mind when critiquing "postmodernism." Earlier in the book, however, they declare that they are taking "two methodological approaches" in illuminating "the ontological drama": "the first is critical and deconstructive, aiming to subvert the hegemonic languages and social structures," while "the second is constructive and ethico-political, seeking to lead the processes of the production of subjectivity toward the constitution of an effective social, political alternative" (E, p. 47). The best way to make sense of this conflict is to understand the earlier reference to a "critical and deconstructive" approach in terms of what, for Deleuze and Guattari, is also a "first" moment of sorts, namely, "decoding," rather than in terms of "deconstruction" proper.

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variant, deconstruction – are on the right track, but, once again, their critiques can properly be brought to bear against their own materialist variant of postmodernism. To begin with, Hardt and Negri do not reject the notion that deconstruction's "politics of difference" challenged the modern dialectic of sovereignty, which was based on "a series of binary oppositions that define Self and Other, white and black, inside and outside, ruler and ruled," but argue that with the supersession of modern forms of sovereignty, deconstructive tactics begin to "coincide with and even unwittingly reinforce the new strategies of rule": "Power has evacuated the bastion they are attacking and has circled around to their rear to join them in the assault in the name of difference."[56] In other words, deconstruction's veritable stock-in-trade, the unravelling of claims to identity predicated on these binary oppositions, was not unsuited to exposing the fault lines of the particularly modern form of sovereignty, the nation-state, which was the modern vehicle for constructing identities. By artificially manufacturing an interclass national identity to defuse the politically explosive nature of capitalism's production processes, which would have otherwise left society hopelessly riven, the nation-state not only obscured the particularity of the one privileged set of interests that came to be identified as the national ones, and thus facilitated the imperatives of capital domestically, but through this construction also afforded ideological cover for colonialism and imperialism, which, by depreciating "the Other," then reinforced its own artificially constructed national identity. With the ascendance of Empire, and the associated demise of the nation-state, however, "identity" itself was superseded, as the world market is liberated from the binary divisions that the nation-state had imposed: difference, fluidity, contingency, and hybridity become the norm rather than the exception.

Despite the objections of Derrideans,[57] Hardt and Negri are right to say that "to a certain extent" deconstruction must be understood as an effect of the globalization process,[58] that "many of the concepts dear to postmodernists and postcolonialists find a perfect correspondence in the contemporary ideology of corporate capital and the world market, [and, lastly, that] the ideology of the world market has always been the anti-

56. E, pp. 138-139.

57. See, e.g., Michael Ryan's particularly vitriolic attack on Hardt and Negri in "The Empire of Wealth," in *Politics and Culture*, at http://laurel.conncoll.edu/politicsandculture/page.cfm?key=80.

58. E, p. 138

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foundational and anti-essentialist discourse par excellence."[59] Capital is only too eager to seize upon deconstruction's (intended and unintended) products: a fractured subject, whose interests outside of the production process are of concern to capital only to the extent that they represent a marketing opportunity; a movable, decentralized workplace, which is made possible by new capital intensive technologies that reduce wages and benefits by reducing the demand for labor and, moreover, enable capital to subcontract anywhere in the world for the labor it needs; and lastly, dismantled social programs, an obsolete legacy of the nation-state, which would be an impediment to the fluid environment that capital seeks. What is more, Hardt and Negri are right to at least question the strategies of postcolonialists who, building on deconstruction's "politics of difference," stress the "localization of struggles," which often means withdrawing from the world market. Given the omnipresence of the world market under Empire, which overdetermines all national economies, withdrawal likely means little more than grinding poverty, for if there ever was a time that a workable national economy could truly be developed in isolation, that time is long gone.

If national sovereignty is no longer dispositive, which thus rules out all modern forms of resistance that revolve around the nation-state, and if "the affirmation of hybridities and the free play of differences across boundaries is liberatory only in a context where power poses hierarchy exclusively through essential identities, binary divisions, and stable oppositions," which means that Empire is also "entirely immune to the 'liberatory' weapons of the postmodernist politics of difference,"[60] perhaps Hardt and Negri are right to argue that "a new type of resistance has to be invented."[61] This "new type of resistance," they maintain, is to be found in "nomadism," one of the primary concepts of Deleuze and Guattari's *A Thousand Plateaus*. Much as Deleuze and Guattari privilege the "deterritorialized" and "decoded" libidinal desire of schizophrenic subjects in *Anti-Oedipus*, in *A Thousand Plateaus* they privilege the movements of nomadic subjects, whose restless wanderings ostensibly circumvent the oppressive political institutions that would subdue them, and, therefore, ultimately destabilize these institutions: "Circulating is the first ethical act of a counterimperial ontology."[62] Thus, when Hardt and Negri contend

59. *Ibid.*, p. 150.
60. *Ibid.*, p. 142.
61. *Ibid.*, pp. 307-308.
62. *Ibid.*, p. 363.

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that the key to resistance is "being-against," this is to be grasped in terms of sabotage, desertion, exodus, and, ultimately, mass nomadism.[63] But given their quite reasonable argument that renewed visions of colonial sovereignty are obsolete in the age of globalization, and would only bring poverty to those countries that pursued this path, why is nomadism any different? Why is it destructive for nation-states to delink from the world market but "liberatory" for individuals to do so? Today's nomads are mostly migrant workers, and while most of them would rather remain in their own communities, they are forced to uproot themselves because of the endless dislocations of the global market. But, of course, following Deleuze and Guattari in *A Thousand Plateaus*, "uprooting" is just what Hardt and Negri privilege: by repudiating all trunks, bonds, and identities, nomads circumvent the "arborescent" model (i.e., the model of the tree, which must be firmly grounded), while conforming to the "rhizomatic" model, which rejects such foundations in favor of the multiplication and dissemination of roots and branches. It is hard to imagine, however, that ontological correctness provides much comfort to these nomads. In the final analysis, nomadism is no less ideologically supportive of Empire than the postmodern and postcolonial theories that Hardt and Negri reject. Nomadic, fungible, schizophrenic subjects are the order of the day for low wage service sector economies.

What's more, given the logic of their critique of deconstruction, this should also be Hardt and Negri's conclusion. If Empire is not just "entirely immune" to deconstruction's "affirmation of hybridities and the free play of differences across boundaries" but truly flourishes under these circumstances, why is this not the case for Hardt and Negri's schizophrenic nomads, whose "biopolitical circulation focuses on and celebrates the substantial determinations of the activities of production, self-valorization, and freedom"?[64] What is the basis for stating that the former "is dominated by capital and integrated into its logic," while the latter is nothing less than a "radical act of resistance that can recapture the productive sense of the new mobility and hybridity of subjects and realize their liberation"?[65] Michael Ryan contends that Hardt and Negri's attack on deconstruction is goaded by their belief "that they cannot advance as the answer to the Marxist political quandary an ontological and uncritical materialist ideal such as the multitude and allow to go unchallenged a powerful school of

63. *Ibid.*, pp. 210-214.
64. *Ibid.*, p. 364.
65. *Ibid.*, pp. 363-364.

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thought that suggests that all such ideals should be treated with suspicion."[66] There is an element of truth in this claim, although, as the similarities above suggest, it is severely overstated. These two forms of postmodernism are far more linked than either faction would care to concede. Not only do they share a commitment to hybridity, difference, and mobility (as opposed to purity, identity, and *stasis*, which both rightly associate with fundamentalism and wrongly associate with dialectics), but they also share a rejection of Euro-American hegemony, from which, nonetheless, they both profit. The truly salient question, therefore, is how these theoretical and practical convergences might be explained in terms of the underlying theoretical divergences that both factions insist exist. The answer to this question is that notwithstanding superficial structural differences, such as their nominally opposed stances on ontological issues, in decisive respects the underlying logics of these theoretical discourses tend to converge.

These superficial structural differences and more substantial underlying convergences can be fruitfully highlighted by first briefly considering the fashion in which Hardt and Negri's ontology and Derrida's deconstruction interpret Marx's thought. Strikingly, both see it in ontological terms, and both reject this ontology on the same grounds, the use value-exchange value distinction, which they both see as indebted to the metaphysical tradition. At this juncture, however, their critiques move in opposite directions. Bracketing the question of subjectivity, Hardt and Negri roughly recapitulate Heidegger's attempt to move beyond metaphysics to a fundamental ontology, with one crucial difference: for Hardt and Negri the movement beyond metaphysics to their version of fundamental ontology, and the "self-presence" (of the multitude) that attends it, is already a socio-historical *fait accompli*, given the ubiquity of capital's real subsumption of society. Of course, this was not the case in Marx's own time, when "every liberatory initiative, from wage struggles to political revolutions, proposes the independence of use value against the world of exchange value," but that independence existed "only within capitalist development itself" – that is to say, within "the historical evolution" of modernity.[67] Because capitalist development (understood in terms of extension rather than intension) no longer exists, "the construction and mediation of dualisms" that typified what Hardt and Negri see as modernity's wrong turn do not exist anymore either, and with "this radical determination of postmodernity,

66. Ryan, "The Empire of Wealth," *op. cit.*, p. 5.
67. E, p. 185.

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political philosophy forces us to enter the terrain of ontology,"[68] where capital "is faced directly with the multitude, without mediation."[69]

Derrida, conversely, moves from an ontological problematic – namely, his defining refusal of any possibility of "self-presence" – to a fallen sociohistorical context, which is forever trapped in the "endless death of metaphysics." Use-value, which raised the spirit of self-presence for Marx, was always already contaminated, or an "original prostitution": "Since any use-value is marked by the possibility of being used by the other or being used another time, this alterity or iterability projects it *a priori* onto the market of equivalence."[70] "Use-value" becomes "the correlative of a limit-concept, of a pure beginning to which no object can or should correspond."[71] Thus, for Derrida, the singularity of use-value becomes aligned with *différance*, an always already differing and deferring, and any resort to it in sociohistorical experience falls into a "metaphysics of presence" – which, paradoxically, with its hybridized singularities comprising a "multitude" produced in the domain of a now ubiquitous exchange value, is just what Hardt and Negri's ontology does.

Now, the purely transcendental *différance*, which is the condition of possibility for some adulterated rendition of singularity, mobility, and difference on the flattening sociohistorical plane, and the purely immanent "multitude," who are the condition of possibility for a hybrid singularity, mobility, and difference on a sociohistorical plane flattened by (exchange) value, are both idealistic positings that can account for these possibilities only because of their abstractness. And, by virtue of their abstractness, their structural differences tend to obscure deeper theoretical and practical similarities. Defined in any way other than as "self-presence," Derrida is proffering an ontology; in spite of its alleged immanence, "the multitude" plays the role of a transcendental category; and both postmodern formulations, despite their explicitly political concerns, can give no theoretical basis for praxis. Derrida is left with little more than a warmed over messianism – or, to be more precise, the "messianic . . . so as to designate a structure of experience rather than a religion"[72] – which makes his exceedingly concrete delineation of the ten "plagues" of "the new world

68. *Ibid.*, pp. 353-354.
69. *Ibid.*, p. 237.
70. Jacques Derrida, *Specters of Marx: The State of the Debt, the Work of Mourning, and the New International*, tr. Peggy Kamuf (New York: Routledge, 1994), p. 162.
71. *Ibid.*, p. 160.
72. *Ibid.*, pp. 167-168.

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order," set forth toward the beginning of the third chapter of *Specters of Marx*, seem oddly out of place in the book, and, for that matter, his broader corpus. Similarly, although Hardt and Negri also claim to speak in experiential rather than religious terms, they not only explicitly set forth a teleology based on the multitude's right of reappropriation, but also see the multitude's overthrow of Empire as a done deal, and then describe this realization of their telos in terms that sound no less religious than those utilized by Derrida: "In this deterritorialized and untimely space where the new Empire is constructed and in this desert of meaning, the testimony of the crisis can pass toward the realization of a singular and collective subject, toward the powers of the multitude. . . . The decline is no longer a future destiny but the present reality of Empire."[73] Thus, as Derrida puts it, it can be said of the communism that each group deems worth having: *es kommt* ("it comes"). But how does it come, or, to be more exact, who is there to bring it about, given that both groups claim to trade in "experience rather than a religion"? Derrida's Heidegger-inspired rejection of subjectivity and Hardt and Negri's ontological privileging of subjectivity, despite seeming to be diametrically opposed, once again converge: the answer for both is no individual or group, in particular.

Indeterminate conceptual positings, such as Hardt and Negri's "multitude" and Derrida's *différance*, which purportedly aim to uphold hybridity, mobility, and difference in the face of philosophy's historical push toward purity, *stasis*, and identity, are themselves pure, static, self-identical constructions, wholly unmoved by what they take to be the profane mediations of "the dialectic." Indeed, for Hardt and Negri, it is in terms of an anti-dialectical agenda that all variants of postmodernism, including their own, must be understood. "These various theoretical contestations are brought together most coherently in a challenge to the dialectic as the central logic of modern domination, exclusion, and command,"[74] they say with respect to all other forms of postmodernism, whereas, from the standpoint of their own variant of postmodernism, inspired by Deleuze and Guattari, they declare: "Reality and history . . . are not dialectical, and no idealist rhetorical gymnastics can make them conform to the dialectic."[75] In fact, dialectics is not idealist at all, but, as Adorno has justifiably argued, it is an antidote to all forms of idealism, especially those ontologies

73. E, p. 380.
74. *Ibid.*, p. 140.
75. *Ibid.*, p. 131.

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like Hardt and Negri's, which style themselves "materialist": since Marx "drew the line between historic materialism and the popular-metaphysical kind," materialism is not a "counter-position one may resolve to take [but] the critique of idealism in its entirety, and of the reality for which idealism opts by distorting it. . . . A dialectical theory is bound – like Marx's, largely – to be immanent even if in the end it negates the whole sphere it moves in."[76] Properly understood, then, by virtue of its virulently anti-dialectical nature, Hardt and Negri's ontology, though it styles itself both materialist and immanent, is neither materialist nor immanent.

The Dialectic of Enlightenment Returns

Dialectical concretion revolves around the notion of determinate negation, which tethers concept formation to experience, and thus precludes the kinds of abstract theoretical constructions that are to be found in Hardt and Negri's "materialist" ontology and Derrida's deconstruction – both of which unwittingly incorporate, because of their level of abstraction, the elements of the sociohistorical context that they purport to criticize. In some sense, Hardt and Negri discern this phenomenon in deconstruction but not in their own thought, which is even worse as their abstraction is understood in immanent terms. In contrast with *différance*, the un-presentable non-origin whose thought is the basis for theoretical interventions to expose every claim to self-presence, "the multitude" is unabashedly self-present, and thus has the potential to create more mischief. (Ryan correctly affirms this claim.) Hardt and Negri, however, contend that it is dialectics that, historically, has performed the most theoretical mischief – for reasons that simply do not wash. Every characterization of dialectics in *Empire* is badly skewed.

First, modernity and dialectics are conflated, as if the sort of Cartesian foundationalism that Hardt and Negri take to be modernity's wrong turn finds its final expression in dialectics,[77] when, in fact, dialectics exposes the shortcomings of all foundational approaches (such as the ontological claims that are inherent within their own thought.) Second, dialectics is coarsely depicted in triadic terms, as a "dialectic of contradictions, a play of absolute negations and subsumption,"[78] when, in fact, Hegel, who hardly ever actually used the term, did not see it as a method but as a process of developing richer conceptions of the world. Dialectics is not a

76. Adorno, *Negative Dialectics*, *op. cit.*, p. 197.
77. See E, pp. 78-83.
78. *Ibid.*, p. 189.

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cold dead thing that one makes "reality and history . . . conform to," nor is it a stilted three step (thesis, antithesis, synthesis); to the contrary, dialectics does not lord over the subject matter of history but involves an immersion into it, an immersion that leads to conceptual formations that reflect (rather than posit) the movement of historical experience. Third, the nasty history of colonialism is depicted as the result of "a negative dialectic of recognition,"[79] as if the recognitive ethics that underlie Hegel's ethical thought would see this social phenomenon as its actualization rather than as a fundamental breakdown. Hegel's "highway of despair" does not end with the master-slave parable, to which the dynamics of colonialism crudely correspond, but, in a real sense, begins with it, as Marx recognized. Fourth, although they admit that "Hegel restores the horizon of immanence," Hardt and Negri assert that it is "really a blind immanence in which the potentiality of the multitude is denied and subsumed in the allegory of the divine order."[80] This is an ironic claim because, with respect to the supposed blindness of Hegel's immanence, it is the very claim that Hegel levels against Spinoza, Hardt and Negri's patron saint, for whom "the singular is presented as the multitude."[81] Accordingly, in the *Science of Logic*, Hegel declares that "the substance of [Spinoza's] system is one substance, one indivisible totality; there is no determinateness that is not contained and dissolved in this absolute," which is the result of an "external thinking."[82] Or, as Paul Redding articulates it, "despite his conception of a unitary absolute substance to which thought is immanent, Spinoza still implicitly appeals to a form of thought dichotomously opposed to any conceivable form of thought within substance."[83] In other words, because there is no particular point of view within substance, but just the pointless point of view of "the multitude" posited by Spinoza, there is, in Hardt and Negri's words, a "blind immanence" within Spinoza's "divine order."

Hardt and Negri's attack on Hegel holds when they criticize his conception of the state, which Marx attacked more than 150 years ago. Hardt and Negri allege, with a fair bit of justification, that "in Hegel, the synthesis of the theory of modern sovereignty and the theory of value produced

79. *Ibid.*, p. 128.
80. *Ibid.*, p. 82.
81. *Ibid.*, p. 73.
82. G. W. F. Hegel, *Science of Logic*, tr. A. V. Miller (Atlantic Highlands, N.J.: Humanities Press, 1989), p. 536.
83. Paul Redding, *Hegel's Hermeneutics* (Ithaca, N.Y.: Cornell University Press, 1996), p. 32.

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by capitalist economy is finally realized,"[84] and that his "conception of the sovereignty of the modern state" is "self-satisfied and triumphant."[85] So, too, in *The Politics of Subversion*, Negri justifiably says that, for Hegel, "civil society is the permanent revolution," but that his privileging of the state in the *Philosophy of Right* "deprives it of all its subversive effects": "What had been a revolutionary dialectic is transformed into a veritable theodicy." The positing of the state from above, Negri continues, "re-establishes order," at which point it "is able to become an element of the philosophy of history – it loses all qualities of dialectical interchangeability, every vestige of negativity and all ontological potential in order to place itself within the perspective of divinity. The revolutionary legitimation of the state is surreptitiously expelled and substituted by the latter's metaphysical legitimation."[86] Crucially, however, Hegel's recourse to the state reflects not the culmination of the dialectic but his own failure to properly follow it through: Hegel breaks off the dialectic and abstractly posits a reconciling state in the ostensible belief that the splits within civil society, and, more broadly, modernity itself, would not heal of their own accord. Alas, by analogy, the same can be said of Hardt and Negri. The multitude is for Hardt and Negri what the state is for Hegel: it is an abstract construction, posited from above, that "loses all qualities of dialectical interchangeability and every vestige of negativity" to insure a "revolutionary legitimation" that is no more than a "metaphysical" one. Whatever "subversive effects" might be gleaned from a rich dialectical analysis have been preempted by Hardt and Negri's ontological positing of "the multitude," which positions it within "the perspective of divinity."

In truth, however, as Hardt and Negri fully appreciate with respect to Hegel, breaking off the dialectic in favor of metaphysics does not place one within the "perspective of divinity" but, wittingly or unwittingly, within the perspective of the prevailing state of affairs, which are then deified. This is indeed the case for Hardt and Negri, who evidence this most clearly in their references to subjectivity. Thus, although they stress the "need to identify a theoretical schema that puts the subjectivity of the social movements of the proletariat at center stage in the processes of globalization,"[87] the fact is that when their references to it are not hopelessly

84. E, p. 86.
85. *Ibid.*, p. 90.
86. Antonio Negri, *The Politics of Subversion: A Manifesto for the Twenty-First Century*, tr. James Newell (Cambridge: Polity Press, 1989), p. 169.
87. E, p. 235.

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vague, subjectivity is depicted in objectivized terms and the qualities of subjectivity migrate into capital itself: "The immanent production of subjectivity in the society of control corresponds to the axiomatic logic of late capital."[88] What this actually means is that in the epoch of postmodern capitalism, when there is "an unmediated relation between power and subjectivity,"[89] subjectivity is as contrived as capital's subordination of use value to exchange value and free time to work time has always been: "Postmodernism is what you have when the modern theory of social constructivism is taken to its extreme and all subjectivity is recognized as artificial."[90] According to Hardt and Negri, however, the artificiality of subjectivity is actually something for which to be grateful, for it gives us the opportunity to "construct ontologically new determinations of the human, of living – a powerful artificiality of being."[91] One would think that subjectivity's shift into "artificiality," in which all becoming becomes an "artificial becoming,"[92] would be the death of any theory of subjectivity based on desire, as their theory, inspired by Deleuze and Guattari, certainly is. Hardt and Negri do not see this as a problem, however, for they do not believe that desire needs to be "natural": "The multitude not only uses machines to produce, but also becomes increasingly machinic itself, as the means of production are increasingly integrated into the minds and bodies of the multitude."[93]

For Hardt and Negri, in sum, history has extirpated nature: "'Postmodernism,' Fredric Jameson tells us, 'is what you have when the modernization process is complete and nature is gone for good.' We have no nature in the sense that the forces and phenomena [of nature] are no longer understood as outside, that is, they are not seen as original and independent of the artifice of the civil order."[94] The opening portion of this quotation, which is taken from Jameson's introduction to *Postmodernism, or the Cultural Logic of Late Capitalism*, is directly followed by Jameson's claim that "it is a more fully human world than the older one, but one in which 'culture' has become 'second nature.'"[95] The "but" and

88. *Ibid.*, p. 331.
89. *Ibid.*, p. 26.
90. *Ibid.*, p. 196.
91. *Ibid.*, pp. 217-218.
92. *Ibid.*, p. 216.
93. *Ibid.*, p. 406.
94. *Ibid.*, p. 187.
95. Fredric Jameson, *Postmodernism, or, the Cultural logic of Late Capitalism* (Durham, N.C.: Duke University Press, 1991), p. ix.

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"second nature" in this sentence are telling for Jameson, who knows his way around Adorno's negative dialectic better than most. Jameson's "but" implies that by becoming "more fully human" in the triumphal sense of Hardt and Negri's social constructivism, the world has actually become less fully human in a more profound sense, which is qualified by his use of "second nature," a plain reference to Adorno's troubling idea that, with the extirpation of nature, human beings do indeed become "machinic," and thereby reproduce the ugliest aspects of capitalist culture as if by natural compulsion. Shortly thereafter, Jameson states: "The market has become a substitute for itself and fully as much a commodity as any of the items it includes within itself: modernism was still minimally and tendentially the critique of the commodity and the effort to make it transcend itself. Postmodernism is the consumption of sheer commodification as a process."[96] Capitalism under Hardt and Negri's postmodern formulations thus becomes a veritable force of nature. Although they depict as a "pure and simple mystification" the "bizarre naturalness" that sees "the capitalist market and the capitalist regime of production as eternal and insuperable,"[97] they themselves, at least in terms of the upshot of their theory, fall prey to this very phenomenon.

Indeed, more generally, because Hardt and Negri take history and, concomitantly, their own postmodern theory to have gotten beyond "the perverse dialectic of enlightenment,"[98] they fall all the more profoundly into its pitfalls. As Adorno and Horkheimer declare in *Dialectic of Enlightenment*, "the fallen nature of modern man cannot be separated from social progress."[99] This means that the subject's instrumental use of reason to dominate external nature in the name of social progress, comprehended in terms of providing the material conditions for a world of greater freedom and justice, is intertwined with the repression of its own internal nature, whose spontaneity is the ground of imagination and thereby social freedom and justice. In this way, the subject, in seeking to escape from the vicissitudes of nature, all the more regresses to it, with the loss of self-identity that this implies, for it is neither the universal laws of physics nor morality that differentiate our empirical selves, but the particularities of our inner natures and experiences. Thus, by purportedly

96. *Ibid.*, p. 10.
97. E, pp. 386-387.
98. *Ibid.*, p. 25.
99. Max Horkheimer and Theodor W. Adorno, *Dialectic of Enlightenment*, tr. John Cumming (New York: Continuum Publishing Co., 1991) p. xiv.

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extirpating nature once and for all, Hardt and Negri's desire becomes as "machinic" as the functioning of the machine, which not only operates in accordance with the universal laws of nature in order to effectively dominate them, but in accordance with the newly minted universal laws of postmodern society on whose behalf all machines labor. As Hardt and Negri lucidly put it, one is now confronted with a "concrete universal."[100] To be sure, they cover their postmodern bases, for corresponding to "the machinic logic of the multitude," which is part and parcel of this concrete universal, are "self-valorizing singular virtualities,"[101] but what could "singularity" mean under these circumstances? Moreover, why would wholly denatured bodies be "completely incapable of submitting to command"[102] – especially since, as Lyotard justifiably points out, completely natural ones, absent a negative critique, are only too capable of doing so. Indeed, they would seem to be incapable of doing anything but submitting to command. Absent, then, the prospect of mimesis, which Adorno and Horkheimer privilege as a way of breaking out of the careening dialectic of enlightenment – it is through mimesis that there can be a "remembrance of nature in the subject in whose fulfillment the unacknowledged truth of all culture lies hidden"[103] – the only possibility left for breaking the spell of this concrete universal is historical memory, the recognition of the hopes and broken promises of the past. Negri, however, will have no truck with memory either, for memory is dialectical. "Only memory and labor constitute the dialectic," he contends, which means that "communist transition is absence of memory." To those former colleagues, such as Bologna, who continue to remember, he charges: "Your memory has become your prison."[104] For Hardt and Negri, consequently, self-assertion, under the rubric of artificial, amnesic (schizophrenic) nomads, turns around into unmitigated self-denial.

In the final analysis, as Hardt and Negri plainly acknowledge toward the end of *Empire*, their conception of subjectivity is "most indebted to the series of French philosophers who reread Nietzsche" in the 1960's, and in the process "reoriented the standpoint of critique" by identifying "the end of the functioning of the dialectic," which was "confirmed in the

100. E, p. 19.
101. *Ibid.*, p. 369.
102. *Ibid.*, p. 216.
103. Horkheimer and Adorno, *Dialectic of Enlightenment*, *op. cit.*, p. 40.
104. Antonio Negri, "Cari compagni di Autonomia," *Autonomia* 26 (November 1981), quoted in Wright, *Storming Heaven*, *op. cit.*, p. 175.

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new practical, political experiences that centered on the production of subjectivity."[105] In particular, they are most indebted to Deleuze's 1962 *Nietzsche and Philosophy.* Now, although for Nietzsche ontology is a manifestation of *ressentiment*, in *Nietzsche and Philosophy* Deleuze proffers an ontological account of Nietzsche's notion of eternal recurrence that ensures that only "active" forces can return, not "reactive" ones. This means that history will end by purging itself of the reactive, which the dialectic supposedly typifies. To use Hardt and Negri's phrase in depicting the dialectic, this is "idealist rhetorical gymnastics" at its worst – but it is a gymnastics in which they, too, participate. Empire's effectiveness must be "traced back to the virtual, constitutive action of the multitude," they state, at which point they go on to assert: "Empire itself is not a positive reality. In the very moment it rises up, it falls. Each imperial action is a rebound of the resistance of the multitude that poses a new obstacle for the multitude to overcome. Imperial command produces nothing vital and nothing ontological [and] from the ontological perspective, [it] is purely negative and passive. . . . The functioning of imperial power is ineluctably linked to its decline."[106] In other words, it declines because it is "reactive," and therefore characterized by a "properly ontological lack,"[107] Empire parasitically draws on the ontologically grounded "active" forces and intensities of a hybrid multitude that increasingly becomes schizophrenic and nomadic, and, therefore, will inevitably overflow it. Redolent of dialectical materialism, the decline of Empire is in the ontological bag.

105. E, p. 378.
106. *Ibid.*, pp. 360-361.
107. *Ibid.*, p. 62.

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Antiterrorist Measures, a Constituent Act[1]

Jean-Claude Paye

Antiterrorist measures represent sheer violence and result from the inclusion of this same violence in the text of the law. In intensity they could span from suspension of fundamental freedoms to a lasting mutation of the legal order.

Suspension of the Law
Primacy of Exception

Given that no country has coined a legal definition of terrorism, it appears that the grounds for such an incrimination are not to punish such actions but rather to provide justification for practices and rules that contravene the traditional penal procedure. These deviations can occur at each stage of the penal process, from the preliminary investigations to the sentencing, i.e., special investigation techniques like telephone tapping. Terrorism justifies exceptional measures, e.g., detention based only on suspicion, confinement of witnesses, special rules on the communication between the suspects and their attorneys, establishment of exceptional jurisdictions. The "USA Patriot Act" allows the Attorney General to arrest and detain any foreigner, seen as a danger to national security. Those measures were extended by the Nov. 13, 2001, "Military Order," according to which non-US citizens, suspected of terrorist activities, can be tried by special jurisdictions and detained for an indefinite period of time. Such measures create areas outside the law. They cancel those people's legal status, as they are out of any legal control and depend entirely on the executive power. Overriding procedures related to the fight against terrorism are often extended to other crimes, thus polluting all penal matters.

Antiterrorist laws sanction the primacy of procedure as they evoke emergency circumstances. The change is so significant that it overturns the norm, and deviations become the rule. Emergency procedures replace the Constitution and the law as forms of political organization.

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1. Translated from the French by Christine Pagnoulle.

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A State of Exception

Such measures, which amount to a suspension of the law, are typical of an emergency state. Seen in a purely political light, the notion of emergency state is not easy to define in legal terms since it belongs to what ought to be an exceptional situation, in which the law does not apply. As Carl Schmitt suggested in *Die Diktatur* (1921), the exception lies in an ambiguous and uncertain margin, where politics and legality overlap. Schmitt, integrated the notion of "extra-legal action," or sheer violence, into the legal field as a principle to order and understand reality. In the context of a fight against terrorism, this way of ruling a country is in no way temporary since the "war" is waged against an elusive enemy, whose definition is constantly updated.

A Mutation in Penal Law

The "war against terrorism" has affected penal law. The definition of terrorism can only be fuzzy, deeply subjective, and of obviously political nature. It makes it possible to see any social or political movement as criminal. It also suppresses individual freedoms. The function of penal law has shifted. Traditionally it concerned individuals. Yet, new charges against criminal or terrorist organizations create crimes of collective responsibility and are aimed at associations. It is no longer necessary either to commit a crime or to intend to commit a crime – merely belonging to an association that is branded as dangerous by the executive power has become punishable.

Reasons that lead to specific charges rest on the conviction that terrorist crimes are basically different from common law crimes. To distinguish it from a classical charge, the charge of terrorism introduces intentionality, the intention to destabilise the economic or political power or to disrupt the social order. This subjective part of the crime defines it as a political crime. Terrorism is not defined in terms of actual transgressions such as homicides, attacks, or highjacking, it lies in the offender's declared or assumed intention. The signification of the latter's motivation is provided by anti-terrorist measures which define what political act of opposition can be tolerated by the authorities and consequently what other acts have to be branded as terrorist.

The part played by subjectivity in defining terrorist crimes is all the more important as they are not necessarily specific actions but also the mere participation in lawful activities organizations by the prosecuted associations or just belonging to or supporting the said association. In

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such a context the interpretive margin is maximal. The crime of aiding and abetting, put forward by the European Framework Decision on terrorism,[2] nicely illustrates the blurred and elusive nature of this penal notion. It makes it possible for authorities to define at very short notice and to modify if necessary what is called terrorism and consequently to determine who will be prosecuted.

While the law is more present than ever, it now finds its expression in the form of procedure, so that social relations are increasingly perceived in terms of procedure. The war on terrorism is thus the ultimate stage in turning penal law into procedure. As with other branches of the law, penal law is turned into a mere instrument in the hands of the executive power and the police.

Such reduction of the organization of the State to management is promoted by the proponents of "good governance." This modern version of the neo-patrimonial conception of institutions refers to a way of organizing social life in which any political dimension is denied. It leads to considering protest movements to be criminal since it denies any possibility that a conflict should arise and claims that differences can be solved through negotiation. Reducing the law to procedure is but a reflection of the way the social and political dimensions are reduced to productivist techniques within companies.

What is specific to the latest laws lies in their scope of application. They not only affect a suspension of the law, a limitation of mechanisms meant to protect the fundamental liberties of some groups of individuals or some social categories that find themselves outside the pale of society. What is at stake is a complete change of penal law which affects all and everyone, a transformation of the relationship between society and the State. We cannot look at the latest anti-terrorist laws without also referring to a set of measures on the retention of communication and traffic and on the possibility of checking the contents of email messages.

Everybody is concerned with the new laws and measures against terrorism. The deviations from common law as well as special investigative methods become the accepted norm, sanctioning the end of the state of law and jeopardizing a structure that protected individual liberties and privacy. The state of law is dismantled both formally, as a "hierarchical pattern of legal standards,"[3] and substantively, as a set of legally protected

2. "Council Framework Decision of 13 June 2002 on combating terrorism," in *Official Journal of the European Communities*, L 164 (June 22, 2002).

3. Jacques Chevalier, *L'Etat de droit* (Paris: Montchrestien, 1999).

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public and private liberties. Challenging the way the state[4] regulates society is only possible because of a reversal of the former primacy of law before procedure.

The hierarchical relationship between the legal and the executive powers had already been modified by the development of the "Social State", which is more of a state of law in content than in form since the management of democratic rights, which were extended to the whole population, is organized along bureaucratic lines. This form of the State already gives precedence to the executive power over the legal power. Parliamentary debate is replaced by government decisions taken within the party system.

The current collapse of the welfare state is the consequence of the subjugation of parliament to executive power. The novelty of this development lies in the narrow instrumentalization of legal power by the executive, and more concretely in a legal system now controlled by the police.

Notions such as state of law or state of emergency are not sufficient to discuss the essence of power. They merely refer to opposed ways of governing, to alternative modes in which the State can organize society, without saying anything about the organic nature of the relationship.

The notion of a state of law is twofold. On the one hand, in rational theories of the law, the state of law is synonymous with legal order. Any state is thus a state of law, and the phrase is redundant, as Kelsen points out. On the other hand, this form of political organization refers to a set of public and private rights which are guaranteed by this legal order. The formal notion thus acquires substance.

The development on the level of penal codes and procedures challenges the state of law both in its form and in its content. Yet, the notion of state of law is only used to refer to a particular type of government in which individual liberties are protected. The primacy of the law is a guarantee that we live in a hierarchical and systematized legal order. The distinction between the private and the public spheres is guaranteed by a relative separation between legal and executive powers.

The formal conception of the state sees the latter as a hierarchical order of legal norms. Each of them supports a higher one, while resting on

4. In Hegel's *Principles of the Philosophy of Law*, the state of law is the conceptualization of the order, by which civil society is organized by the state. This theoretical move rests on a clear distinction between the two levels, civil society and state, as particular versus universal. This separation of civil society and the limitations of political society is currently challenged by the various reforms on national and global levels.

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the foundation of a lower regulation. Thus, within such a complex construction any legal act, whose legitimacy is derived from its being a part of it, "is both the application of a higher norm and the creation of a lower one in accordance with the higher."[5]

In the formal theory of law, the Constitution is the founding legal act that overrides other norms and determines how they can be produced. Yet it cannot account for the constituent act itself or for acts of coercion.

The state of law also refers to a separation between civil society and the State proper. More specifically we can say that this notion represents the way in which civil society is organized by the State while keeping the two separate. Norberto Bobbio claims that this distinction between public and private spheres is the very foundation of our legal order.[6]

The State of Emergency

The theory of the state of emergency, which Schmitt constructed in opposition to the formal approach of the rationalist school, turns out to complement it. He bases sovereignty not on the ability to impose a norm but on a process of decision-making which is freed from any normative constraint. It is the exception rather than the rule, the moment when decision departs from the legal norm, which best reveals the State's authority. "Sovereign is he who decides on the exception."[7]

Schmitt claims that the state's sovereignty does not consist, as Weber argued, in its monopoly on coercion or domination, but in its monopoly on decision-making. While this definition may seem reductive when applied to a nation-state, it perfectly fits an imperial structure.

This notion cannot account for the organic nature of the sovereignty of the nation-state, for the interdependence between internal and external sovereignty, or for the various institutions and levels of power. Indeed, for Schmitt politics is limited to the friend or enemy distinction, an approach, which results in privileging foreign policy over domestic affairs.

Schmitt's theory has attracted more interest since the collapse of the nation-state and the integration of what is left of it into a form of imperial power. He argued that a decision on an exception is part of the legal order. An exceptional situation is not synonymous with chaos. If the state

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5. Chevalier, *L'Etat de droit*, *op. cit*, p. 44.
6. Norberto Bobbio, "Dalla struttura a la funzione. Nuovi studi di téoria del diritto," in *Comunita* (1977).
7. Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty.* (Cambridge: MIT Press, 1985).

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suspends the law, it is in order to conserve it. From this perspective, a decision on an exception is first and foremost a decision on the conditions in which the norm must be applied. As he wrote in his *Political Theology*, a normal situation needs to be established, and those who decide that this normal situation is really the case are truly sovereign.[8]

So the theory of the state of emergency becomes a theory of sovereignty in a sort of twofold movement. To make a decision on what is exceptional is the hallmark of power, and the sovereign, who decides on the state of emergency, also inscribes it into a legal order.

This approach is particularly productive in analyzing the current reforms of penal law and procedures. Charges and procedures that deviate from common law are part of a general mutation of the way power is exerted. This transformation may be seen as a move toward a state of emergency, which does not merely consist of a temporary suspension of the law, as in a state of siege, but which becomes a radically new legal order.

While the state of emergency does not establish a special legal order, such as martial law, but rather suspends the current legal order, it implements a new legal order in its own right. The very decision to suspend the norm lies within the domain of the law, it is part of a general mutation of the law. It can be seen as its spearhead, as well as the instrument of this change.

When the US executive power establishes special military commissions to try foreigners charged with terrorist offenses,[9] the current legal order is indeed suspended, including emergency law. When those charged with an offense are deprived of any legal status, the law is suspended. Emergency becomes the basis on which new laws are passed. The "Patriot Act" II, which makes it possible to strip citizens, charged with terrorist offenses, of their citizenship, not only extends the suspension of legal guarantees to the people, but also inscribes anomy in the law.[10]

The international recognition of the emergency status is also used to re-structure the legal system at an international level. Recent extradition agreements between the EU and the US[11] amount to fitting European citizens into the system enforced by the US, which deviates from the law as understood previously.

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8. Schmitt, *Political Theology*, *op. cit.*, p. 23.
9. Military order of November 13, 2003.
10. The "Domestic Security Enhancement Act of 2003" withdraws US citizenship from people charged with belonging to an allegedly terrorist association.
11. Jean-Claude Paye, "La coopération policière et judiciaire EU-USA, un rapport asymétrique," in *Les Temps Modernes* 626 (Feb. 2004).

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In this double development – enforcement of laws that annul all legal guarantees and restructuring of the legal system – deviation from the current law plays a crucial part. It is the fulcrum that determines the mutation of the political order and its legal transcription.

The war against terrorism turns such deviation from and suspension of the current law into foundations of an imperial constitution. Setting this new legal order up gives a new dimension to Schmitt's fundamental thesis, namely, that sovereignty is deciding what is exceptional. Recent antiterrorist measures support his definition of the state of emergency as the inscription of deviation into the law. Better yet, they strengthen Schmitt's thesis that the legal order is maintained through decision making in the state of exception.

Legal Normativism and Decisionism

The notion of sovereignty based on decision making as developed by Schmitt is opposed to legal "normativism," which sees the state as a pattern of legal relationships. The latter approach, of which Kelsen is the best known representative, claims that State and Law are identical. The Law is "the same order of constraints as the state."[12] The State as a political organization is summed up in a legal order, in the only order which corresponds to legitimate and sovereign law. Law institutes the State and not the other way round.[13]

While for Kelsen law regulates its own production, for Schmitt, the Constitution is not based on some superior norm but on political decision making. Schmitt's definition of sovereignty is articulated around the central idea of the state of emergency, of the exception, of the moment when the legal order is inverted in order to neutralize any constraints to power.

Schmitt argues that legal normativism cannot conceive of political decision making. He thus disagrees with theories of the law according to which all decisions in the legal sense must be deduced from the content of a norm.[14] He inverts the constituent relationship which now proceeds from the State to the Law.

Two Sides of the Same Coin

The two ways of conceiving sovereignty are formally opposed. In fact, they turn out to complement each other. Each of them merely high-

12. Hans Kelsen, *Théorie pure du droit* (Bruxelles: Bruylant, 1999).
13. Chevalier, *L'Etat de droit*, *op. cit.*
14. Schmitt, *Political Theology*, *op. cit.*

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lights one aspect of the part played by the State. The normative theory conceives of the relationship between society and the State with the State usually ruling over society. The State is constructed as condensation of social relationships. While it allows the establishment of rules, it does not integrate deviations from the rules.

On the other hand, decisionism starts from deviations and builds the legal order on them. What this theory cannot integrate is state governance as a synthesis of society. It presents state governance as a self-standing system opposed to society.

The organic theory of the State, as developed by Hegel,[15] incorporates both approaches. Its object, namely the national form of the State, made it possible to articulate the two aspects in the sovereign's leadership. Organic sovereignty, which is part of the national form of the state and is based on the organization and control of the people's sovereignty, has disappeared. It has given way to the duality of a globalized civil society, split between an external and mechanical moment of political order, represented by the notion of governance and a self-standing structure of political and military leadership.

Paradoxically, the division in the sovereignty of the nation-state gives a new dimension to these two theories. In its very partiality each manages to shed light on one aspect of the political organization of the Empire. Criticisms toward the normative theory for showing the State in its administrative and not in its governing function[16] do not point to a shortcoming but to a new function of the theory. The national states, now integrated in a system of global governance along with various supranational organisations, become institutions that no longer have any sovereignty, that administer and do not govern.

Decisionism on the other hand makes it possible to understand the central part played by the US executive power in setting up a global structure of leadership. As recent agreements between the EU and the US

15. The notion of organic sovereignty is specific to Hegel. (See his *Principles of the Philosophy of Law*). It is still of interest because it conceives of the political organization of civil society in terms of an external state, as a legal and administrative state, and the state in its ethical and political dimension, the internal state: the organic moment is there to insure the citizens' adhesion to the structure of the state as a whole. The present situation is characterized by a crisis of organic sovereignty, since the very distinction between the two (private and public) structures, between civil society and political state, is challenged, which leads to the establishment of a new form of imperial political system that has to take on the leadership of the new structure as a whole as well as to a hegemony on the various populations.

16. Jean-Louis Schlegel, "Introduction à la *Théologie politique*," in Carl Schmitt, *Théologie politique* (Paris: Gallimard, 1988), p. viii.

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show,[17] the war on terrorism helps to establish an imperial system radiating from US executive power. As Schmitt had said, sovereignty is in the hands of those who define deviations and use them to change the legal order.

Because of the disintegration of the organic nature of the modern form of the state the Empire rests on a twofold structure: on the one hand, a network of transnational corporations, international institutions and national states that rule the world as if it were a corporation, on the other, a political system in the full sense of the word, opposed to this global society, i.e., the US executive power, which wields imperial sovereignty.

The two opposed theories, legal normativism and decisionism, account each for one of these two sides of the current political order. They have both shown their inability to account for the organic nature of the national state. Its disintegration paradoxically gives them a new lease on life as tools to understand a globally integrated command – not so much to provide the theoretical notion of the structure as to highlight its duality.

The State of Emergency, a Form of Imperial Government?

Schmitt worked within the framework of the nation-state. His analysis is inseparable from the idea of the nation, which is a synthesis of the people and the state. The paradigm on which sovereignty is based is the national border. It is the boundary between what is inside and what is outside, the articulation on which the Western twofold legal system (state of law and law of emergency) is based. The border is the place where the guarantees of state law are suspended and where the state can use *preventive counter-violence.*

This can also apply to the modern form of national State. The globalization of trade has gone hand in hand with a tighter control on the circulation of people. Immigration policies have led to the development of camps (which are coyly called "closed centres") for refugees or foreigners without adequate papers. The law that applies to the detainees is an administrative law of emergency.

From the Nation-State to the Empire

Etienne Balibar[18] points out that Schmitt had already predicted both the current development and the mutation of international law, which

17. Jean-Claude Paye, "Europe-USA, un rapport impérial," in *Le Monde* (Feb. 24, 2004) and "La coopération policière et judiciaire USA-UE," *op. cit.*

18. Etienne Balibar, "Prolégomènes à la souveraineté: la frontière, l'Etat, le peuple," in *Les Temps Modernes* 610 (Nov. 2000).

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previously secured equality among sovereign nations. When some states are defined as enemies to humanity, the distinction between enemy and criminal disappears, and the notion of a just war is restored. Schmitt claimed that "the danger of such development is that it leads to the fatal belief in perpetual peace, which almost necessarily turns into endless war."[19] He predicts here the emergence of the imperial rule as a result of the changes in the organization of the nation-state.

The evolution toward a global society where just wars are waged in the name of human rights culminates in the US administration constructing a side of good and a side of evil. The imperial power no longer faces enemies but *rogue states.* The enemies, against whom a war was waged, have become criminals, who must be neutralized by police forces. This changed the very nature of sovereignty. Imperial sovereignty is not based on the notion of border, it does not fight an external enemy but offenders that fall under its jurisdiction.

Penal law becomes a theory of sovereignty. It defines international power relationships. When it suspends citizens' liberties, it also changes the people's sovereignty into the abstract sovereignty of human rights.

Like any nation state, the US too set up a double legal system: a state of law for national citizens and a state without a law for foreigners. In the case of other nations, the distinction between the two legal orders is realized at the borders. In the case of the US, however, the border is not determined geographically. The primacy of US nationality and the organization of the two legal orders are not based on specific territory but apply to the whole wide world. Not only are US citizens exempt from the jurisdiction of international courts and tribunals, but other states are required to grant US authorities the right to try their citizens in *ad hoc* emergency jurisdictions.

According to the latest extradition agreements between the EU and the US (signed in Washington on June 25, 2003), the EU agrees to recognize US decisions on emergency measures. These agreements also lead to a material integration of the European legal systems into the US system, in which the law is suspended. The European countries thus agree that their own citizens, if branded as terrorists by the US authorities, be surrendered to them on conditions enforced by the US.

The US plays a major part in the drafting of an imperial legal order It decides on exceptions and changes norm, particularly penal law and its application procedures, depending on enforced deviations.

19. Schmitt, *Political Theology, op. cit.*, p. 55.

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The war against Iraq, the definition of the side of good and of the side of evil, derive from a strategic decision made by this political leadership insuring both dominance and hegemony. While the decision is one-sided and thus an aspect of sheer dominance, it also aims at having the other nations sanction their action. The UN decision to lift the embargo against Iraq after the US invasion amounts to international recognition. Sheer violence is inserted into the international legal order as a constituent act of US hegemony.

An Asymmetrical Imperial Structure

The development of transatlantic cooperation in the war on terrorism is a good illustration of the organic part played by this area in the shaping of an imperial structure. The expectations of both sides complement each other. The EU wants to increase cooperation on cyber criminality, data retention, and the creation of joint police teams. It also expects the US to take leadership in matters concerning a majority of states in the management of global society. The EU thus accepts US hegemony.

The US expect its police or legal institutions to be allowed to deal directly with matching institutions on the other side of the Atlantic and forget about the formal structures of the legal and executive powers in Europe. They also want to set up a virtually automatic procedure, through which European citizens would be surrendered to US authorities if charged in the US. The US thus claim special rights connected with its status as dominant power.

Antiterrorist measures highlight another part played by the US as a superpower dominating all other states. The first element in this power relationship consists of the legal capacity to give a privileged status to the US in claiming special rights, for instance in dealing differently with US citizens or foreign residents. On issues of terrorism and organized crime, US tribunals are granted universal competence and extraterritorial rights.

However, the primacy of US citizenship is only the symbolic sign of an unequal relationship. The position of the US on Iraq, i.e., the right to overthrow any non-cooperating governments, represent the military aspect of this domination. In addition, the UN granted the US the privilege of the exemption of US members at the UN peacekeeping corps from the international criminal tribunal.

Antiterrorist Measures as a Constituent Act

Actually war on terrorism functions as a spearhead in the establishment

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of a global state of emergency. It brings together all the various elements which define this kind of government. It restructures power by reinforcing the executive branch. Through the drafting of framework acts implemented by ministerial decrees or by mere lists drawn up by the Attorney General (e.g., list of associations suspected of terrorist activities), the executive power takes over the legislation and turns the legal system into its instrument. The special tribunals in fact reorganize the whole legal system on a global scale, which becomes an asymmetrical organization, in which special tribunals play a major role. They decide on the limits, within which justice can run its normal course and thus on the limits of the state of law. Whoever decides on deviations from the norm defines the norm.

A state of emergency traditionally develops in response to a need to uphold law and order in some exceptional situation, which most often means civil war. Indeed anti-terrorist measures are often presented as part of a war against an elusive enemy. However, the present situation is different. The country's authorities do not have to deal with existing troubles, but to counter a potential threat. They take preventive action.

Current developments in penal law are part of the organic moment in the shaping of the state, when parts are organized into a whole. Penal law then becomes a means through which various governments redefine the relationship between public power and citizens. The relationship between the people's sovereignty and the state's sovereignty is inverted. The Patriot Act II is the most explicit reform in this respect since it gives to the executive branch discretionary power when it comes to recognizing citizenship.

Penal law is put to use for the reorganization of global power. It sets up and legitimizes imperial state structures. The organic sovereignty, which is proper to the national form of states, founded as it is on the organization and control of the people's sovereignty, disappears. It gives way to the duality of the political organization of a global civil society divided between an external and mechanical structure, represented by the notion of governance, and an integrated structure of political and military command built around the US executive power.

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Reinventing a Ruling Class

Andrew Fraser

The proudest boast of the contemporary corporate welfare state is that it has rendered obsolete the political hegemony of traditional ruling classes. In a way, the current managerial regime is the culmination of a centuries-long process of capitalist modernization. Marxist historians routinely refer to the revolutionary role played by the bourgeoisie in undercutting the authority of established aristocracies. In traditional society, authority was justified by reference to its origins. The *genetic* legitimacy of the ruling class could be explained either by customs or by reference to divine right. Lacking any other justification, the right of conquest might be invoked. Like slaves captured in war and owing their lives to their captors, a conquered people were in no position to complain because they were under the thumb of a ruling class.

In England, where a jurisprudence of liberty had established deep roots, the ancient British constitution married the authority of both the king and patrician parliamentarians to primordial notions of popular consent sanctified by the customary norms of common law. But there, too, the rise of capitalism upset the traditional balance of the ancient constitution. By the 19th century, political authority was no longer justified by reference to its origins. Leading legal thinkers scorned the Lockean obsession with social contract no less than the common lawyer's veneration of musty precedents. A new ruling class appeared, basing its title to political power on its ability to achieve results. From then on, legitimacy would be goal-oriented. Utilitarianism became the political leitmotif of a bourgeois regime promising to promote the greatest good for the greatest number.

This mental shift toward a goal-oriented view of politics worked to overshadow traditional forms of genetic legitimacy. But they were not entirely eviscerated. The rise of the bourgeoisie did not entirely eliminate aristocratic élites. Indeed, in England, the aristocracy and landed gentry actually took on the economic role of the bourgeoisie as they pioneered new forms of agrarian capitalism. The result was "an open aristocracy based on property and patronage." Just as the aristocracy and gentry classes were open to new forms of enterprise and political organization, the English bourgeoisie tempered its progressive ethos with a respect for traditional social, political, and legal institutions. The culmination of every truly successful business career was the acquisition of a substantial landed estate and, ideally, a hereditary title of nobility, both of which were then passed on to heirs expected to carry on the family's newly-invented traditions.

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In both England and the early American republic, a patrician ruling class emerged, which owed its wealth and social standing to the productive use of property. English common law had developed uniquely extensive and concentrated forms of individual proprietorship over land, which facilitated private, purely economic or "capitalist" modes of appropriation. Elsewhere, in France for example, the state was much more important as a means of appropriating surplus labor from direct producers, as were other forms of politically constituted property, such as corporate privileges. Agrarian capitalism on the Anglo-American model helped to consolidate the distinctively bourgeois hegemony of civil society over the state. In the early 19th century, both England and the American republic could still be described by foreign observers such as Tocqueville as "stateless societies."

As a matter of constitutional form, early 19th century England was a monarchy. In reality, like the newly-independent US, it was a patrician republic in which a rising bourgeoisie made up of merchants, professionals and manufacturers constituted a natural aristocracy. By comparison with the continental regimes familiar to Tocqueville, the patrician élites in Anglo-American societies favored a minimalist state, confident as they were that they could deliver the greatest good for the greatest number through the productive use of their private property. This presumed that the people-at-large would continue to defer to their betters among the natural aristocracy, respecting their constitutional liberty to do as they chose with their property. Tocqueville was among the first to warn that the democratic passion for equality was bound to give greater weight to the popular demand for equality than to inherited traditions of constitutional liberty. In America, the rising tide of democratic politics soon displaced the patrician Standing Order that had ruled colonial New England. In Britain and the American South, where the aristocratic ethos of the gentry was more solidly rooted than in New England, the process took longer, but there, too, the writing was on the wall.

The democratic radicalism spawned by the American Revolution transformed American society by extending the principle of equality into every aspect of public life. Since every branch of government now owed its existence to the people, there was no constitutional room for kings or aristocrats. For fifty or more years after the Declaration of Independence, "common ordinary men stripped the northern gentry of their pretensions, charged them at every turn with being fakes and shams, and relentlessly undermined their capacity to rule." Having lost control of the embryonic state, patrician élites, especially in New England, began to experiment with new forms of politically constituted property intended to restore their traditional hegemony. They sought and obtained a massive expansion in the number of special corporate charters granted by state legislatures, not just to business enterprises, but to schools, colleges, hospitals, and churches.

For a time, the creative deployment of chartered corporations helped to shore up the sagging social prestige of the old patriciate. But that defensive strategy could be sustained only if corporations retained their traditional legal identity as civil

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bodies politic. As such, they preserved the classical republican concept of property as the material foundation of civic virtues. In common law, property, especially landed property, had been conceived as "that sole and despotic dominion which one man claims and exercises over the external things of the world, in total exclusion of the right of any other individual." Possession of a landed estate ensured the autonomy of the household which could then become a little school of self-government with the property-owner at its head. Property was thus directly linked to the responsibilities of rulership. Something like the same result was achieved by the special charter regime that effectively constituted the corporation as a "little republic."

Corporate charters were granted to achieve public purposes. The constitutional principle of *ultra vires* operated to prevent corporations from acting to achieve objects not authorized by their charters. Moreover, shareholders were responsible for the uses to which their common property was put. Limited liability was not an automatic and universal corporate privilege. Shares in a joint-stock enterprise carried an associational element along with a proprietary interest. Shareowners were members of the corporate body politic; in effect, they were citizens of their own little republic. If the corporate charter did not specify the voting rights attached to share ownership, it was not unknown for judges to hold that, *prima facie*, the rule should be: "one voice, one vote." Such civic considerations also led many to take a dim view of proxy voting, condemning the practice as an abdication of political responsibility.

It was not long, however, before the corporation as a civil body politic came under sustained attack as a bastion of "aristocratic privilege." A radical anti-charter movement arose to demand general incorporation laws and the extension of limited liability to all shareholders. The "democratization" of the corporation did widen investment opportunities for small shareholders, encouraging widespread use of the corporate device as a means of securing firm central direction over the enterprising use of assets. But, precisely because small investors were least likely to value the associational element of share ownership, corporations ceased to be conceived as bodies politic. Instead, the law treated them as private, economic instruments of capital accumulation. Republican resistance to the "one-share, one-vote" rule became pointless. For the same reason, from being a form of civic corruption within the corporate body politic, proxy voting became a simple convenience. Both developments may have owed their origins to the democratic rhetoric of the anti-charter movement, but their most obvious consequence was to entrench the plutocratic principle in corporate governance.

The rise of corporate plutocracy signaled the imminent decline of the bourgeoisie. By the end of the Civil War, the collapse of the corporation as a civil body politic was pretty much complete. As a consequence, the patrician bourgeoisie could no longer function as an informal third estate within the civil constitution of Anglo-American society; it was displaced by an increasingly impersonal *system* of corporate capitalism. This entailed a fundamental transformation in the nature

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of property. Marx was among the first to realize that the joint-stock company effectively abolished private property. Share ownership created a novel form of collective or social capital. From being a form of absolute dominion exercised over an autonomous landed household, proprietary interests were disaggregated into a variable bundle of claims to a share of the wealth or income generated within a complex, interdependent process of production, distribution and exchange. Property ownership lost its civic significance; it no longer served as a school of self-government. Stripped of his patrician role within the body politic, the bourgeois became an entrepreneurial capitalist.

In part, the decline of the bourgeoisie was a consequence of both the democratic and the managerial revolutions. Even a putatively natural aristocracy was ill-placed to compete with organized political machines employing the rhetoric of egalitarian democracy to license the growth of an impersonal public administration. Nor could wealth alone provide its owners with the managerial skills necessary to run a complex, multi-unit, modern business enterprise. But, to a very significant extent, the *haute bourgeoisie* in America and elsewhere in the Western world was not pushed or pulled away from its historic position of political power and social authority. Rather, given the opportunity, moneyed interests were more than willing to abandon the notion that property ownership should carry with it the sort of public responsibility and civic obligation associated with the aristocratic ideal of *noblesse oblige*. By and large, the bourgeoisie simply abdicated the responsibilities of rulership.

The public burdens of property ownership came to count for much less than its private benefits, nowhere more obviously than in the realm of corporate governance. Once the "one-voice, one-vote" principle was replaced by the "one-share, one-vote" rule, share ownership became a means of systematically negating the civic significance of property ownership. All shares, not all persons, were created equal. Not surprisingly, wealthy investors soon became quite comfortable with that interpretation of democratic equality. The voice of a shareholder with one hundred or one million shares now carried one hundred or one million times the weight of a member holding but one share in a common corporate enterprise. Votes came to be valued, not as an incident of *membership* in a corporate body politic, but rather for their tactical importance in securing effective *control* over a valuable bundle of economic and financial assets.

So long as their business was organized as a family firm, a partnership or a close corporation, entrepreneurial capitalists could remain in control of their own enterprise. But, having chosen *homo economicus* as their role model, capitalist entrepreneurs became hostages to fortune in the public realm, where a new class of professional politicians and bureaucrats was expanding the state's administrative capacities. Even in the economic sphere, the spectacular success of entrepreneurial capitalism spawned a vast network of hugely complex business enterprises organized and run by professional managers with highly specialized

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technical and administrative skills. More often than not, the most successful enterprises became public corporations whose shares and bonds were traded in national financial markets. Before long, entrepreneurial capitalists lost control over the corporate sector to a rising class of professional managers. By the early 20th century, the separation of ownership and control had become the defining feature of the modern business corporation.

Managerial elites are now in the driver's seat, not just the corporate sector, but in the state as well. Democracy no longer implies that the government will be "owned," much less "controlled," by the people of any given nation. The only legitimate form of democracy, according to the multiculturalist mullahs of the managerial state, is cosmopolitan democracy. The state may still claim to act in the name of the people, but the *demos* has expanded to include the whole of humanity. By virtue of their presumptive enlightenment, the managerial and professional classes now present themselves, or, rather, the global system which they administer, as the virtual representatives of humanity at large.

Corporate capitalism has become a system of organized irresponsibility. Precisely because it is a *system*, it has become a form of no-man rule. No-one can be held responsible for the operation of the system; it has a life and logic of its own. At most, individuals can be held accountable for a failure to behave in accordance with the norms governing the effective management and orderly administration of particular sub-systems. Entrepreneurial activity, capital investment and managerial oversight have all become specialized functions, no longer united in a single figure responsible for the uses to which property is put. Those who variously own, manage, or regulate the corporate economy generally escape political responsibility for its social costs, much less for the moral hazards and spiritual emptiness that are among its most obvious by-products. Within a global economy detached from and destructive of local communities, the ruling class has disappeared behind the corporate veil.

In these circumstances, the appearance of a ruling class prepared to accept responsibility for the fate of a common world would be a welcome relief. Political, economic and cultural élites throughout the English-speaking world are suffering from a colossal failure of nerve. The ideology of "democratic capitalism" requires them to deny their own corporate existence while renouncing any special claim to civic authority, much less responsibility. There has also been a failure of political imagination. The managerial overclass has successfully presented its new world order as the end of history.

Denunciation of the managerial regime serves no useful purpose unless it is linked to a movement aiming *to create a new ruling class*. This is not an impossible dream. Indeed, given the accelerating crisis of confidence in the corporate sector, it is becoming an urgent practical necessity. In principle, the goal of such a movement is clear: those who nominally own the corporate sector must recover a measure of control over the uses to which their property is put. To make that

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possible, the public corporation must be reconstituted as a civil body politic. The best citizens among substantial shareholders in public corporations must be allowed, indeed encouraged to become a civic élite within those corporate bodies politic. Reinventing the aristocratic principle of rule by the best and applying it to the governance of the public corporation could help to cope with the multiplying risks generated by a global society of perpetual growth.

When the major task of capitalist development was the conquest of scarcity, it made good sense to privilege the private benefits of corporate share ownership over the public burdens and civic challenges associated with membership in a corporate body politic. It is now high time to tilt the constitutional balance within the corporation away from civic privatism by creating a political role for the active investor. A new emphasis on the political character of membership in the corporate body politic would re-attach civic responsibilities to the proprietary rights of share ownership.

This would mean an end to the plutocratic principle of "one-share, one-vote," which did so much to hollow out the civic significance of corporate governance. Only under conditions of political equality can any significant number of shareholders hope to overcome the formidable collective action problems facing activists within the realm of corporate governance. For that reason, all shareholders who hold a substantial threshold stake in an enterprise should be entitled to participate in a process of deliberative decision-making on the basis of one-voice, one-vote. Property ownership could, once again, serve as a school of self-government.

It may well be that only a relatively few individuals among millions of widely dispersed investors in thousands of firms are ever likely to enroll in such a course in practical civics. Not everyone is moved by the joys of public happiness. But all those who do take up that civic challenge should stand on an equal footing in the corporate body politic. Those who demonstrate by their actions that they value the privileges of membership should bear final responsibility for the good governance of their joint enterprise.

The problem with the governance of corporations as they are presently constituted is that only money talks. Those who hold a majority of the (voting or proxy) shares in a general meeting, even if they are only a small minority of those present, have no need to either to speak or to listen to their fellow members. Even the best corporate citizen is bound to be discouraged by a voting regime that systematically devalues the power of reasoned speech in favor of the sheer dumb weight of proprietary interest. This would not amount to a constitutional issue if corporate decision-making affected only private economic interests. But corporations now exercise powers that are governmental and political in nature.

The constitution of the public corporation must be reconceived as a novel sort of mixed polity in which private ownership interests are balanced against the public responsibilities of governing a body corporate that creates both economic wealth and political power. Corporate governance should be reconstituted to provide a political theater in which bourgeois investors keeping a sharp eye on their

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financial interests can also take on the role of citizens striving to distinguish themselves in the service of the common good (and vice versa). By treating a senatorial élite of shareholders as political equals in fundamental corporate decisions, constitutional law would help the bourgeois and the citizen to learn the art of corporate governance from each other. If the public corporation is to survive and prosper while doing business in an enlightened and responsible manner, a coalition of interests must learn to balance the economic imperatives which call the business corporation into being with the responsible exercise of its governmental powers. The consequence would be the re-emergence of a patrician bourgeoisie, the very model of a modern natural aristocracy.

New forms of corporate governance designed to produce not just power and profits but legitimate constitutional authority as well are desperately needed. Corporate governance need not remain forever a domain ruled in the name of passive investors by their all-powerful managerial surrogates who listen only when money talks. By embedding the property interests of owners in a civic process of decision-making open to all active investors meeting a basic property qualification for the corporate franchise, a balance could be achieved between the self-interested pursuit of long-term share value and the responsible management of socially-shared risks.

The reform of corporate governance cannot succeed without a new sort of political theory. The constitution of the corporate sector must balance conformity to the laws of economics with a *rebellious* politics that opens up new spaces for political action. Shareholder senates would become genuinely voluntary associations in the civil constitution of a modern republican society. If all those with a significant stake in a joint enterprise could gain entrance, on the basis of equality, to the corporate body politic, a new civic aristocracy could be selected or, as Hannah Arendt put it, "would select itself." Whatever authority members of the shareholder senates acquired would rest "on nothing but the confidence of their equals." The self-selecting membership of those governing councils would not support an attitude of mindless activism or knee-jerk opposition, but they would incite rebellion against managerialist norms of politics and business as usual.

The managerial revolution has subverted the constitutional principles of limited government. The survival of any form of republican government worthy of the name now depends on the ability to institutionalize modernized schemas of civic action within the subpolitical corporate entities straddling the blurred boundary between the state and civil society. Now that governmental powers have become detached from the formal constitutional structure of the federal polity and are lodged instead in formally "private" forms of corporate enterprise, the constitutional guarantee of republican government should follow in their wake. The original understanding of American republicanism is clearly ill-adapted to the operating constitution of the managerial regime. The vital question is whether the idea of the republic can be injected with fresh constitutional meaning.

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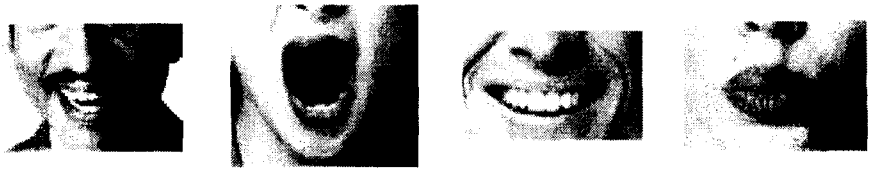

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The Genesis of Capitalism and the Origins of Modernity

translated by James G. Colbert

Widely acclaimed in Europe, Luciano Pellicani's classic work on the origins of capitalism is now finally available in English. Through a careful reconstruction of the historical trajectory of capitalism, Pellicani confronts not only the Marxist and the Weberian conventional wisdom about the historical preconditions for capitalist development, but most of the vast literature on the subject to demonstrate how political freedom rather than religious, climatic, geographical and other contributing factors was the essential precondition for capitalist development. This epoch-making phenomenon is examined in terms of the cultural context of Renaissance Europe and related to the concomitant development of modernity and its antinomies.

Beginning with the Reformation and Weber's mythological account of Calvinism, Pellicani painstakingly examines all the major explanations of the phenomenon to build an argument for an open society as the one most conducive to social, economic and political well-being. The appendix carefully examines the development of capitalism in Japan to indicate how such a Eurocentric model is applicable to other societies as well.

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